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## THE SOLICITORS' JOURNAL.

LONDON, JUNE 4, 1859.

### CURRENT TOPICS.

It is probable that before our next number comes into existence, the great question of the day will be decided, and we shall know the hands from which we are to expect legislation during the session just commenced. Many are confident that the Opposition is united—that the rest of the future Ministry is agreed on—and that an amendment to the address will be carried. Quite as many others are satisfied that no such union has been effected, or is probable, and that the existing Government are sure of their places for the present. It is not our province as professional journalists to offer any observations on the political aspect of the question, and it is the less necessary to do so because it seems probable that the course of legislation in most matters affecting the profession will run much the same whatever party be in power. It is certain that bankruptcy reform will again be brought forward, and it is probable that under any circumstances the session will be found too short, and the business too engrossing, to admit of a settlement of this important question. The Solicitor-General will no doubt try his hand at registration of titles, with precisely the same result as before, and minor measures will be duly fired off with all the usual satisfaction to their promoters, and the usual disappointment (if hope be entertained) by the public. In fact, there is very little prospect this session of any practical legislation. Party animosity, reform, and war, form a triple conjunction enough to paralysed the active exertions of any popular assembly; and whatever the promises in the Queen's speech may be, our readers may depend that the month of August will find our legislation much as it stands at present.

A few weeks since we commented on an article by Mr. Buckle in *Fraser's Magazine*, which contained a violent and, as we considered, a most unjust attack on Sir John Coleridge. That article has now been answered in a more authoritative way by Mr. J. D. Coleridge, in a letter addressed to the editor of the magazine, and which appears in the current number. This letter, from which as far as our space will allow, we give some extracts, is a conclusive reply on the facts to Mr. Buckle's assertions. There were portions of the

accusation, indeed, incredible, not only to every lawyer, but to every one acquainted with the mode of administering justice in this country. Probably few men calling themselves educated believe that a judge has anything to do with getting up a prosecution, or with selecting the county in which the prisoner is to be tried; and Mr. Buckle's absurd imputation that Sir John Coleridge had combined with others to prosecute Pooley, and had chosen Cornwall as a remote and inaccessible region for effecting a conviction, only served to throw doubt and discredit on the whole story. There were other points not quite so insane in the charge, and these have been satisfactorily disposed of by Mr. Coleridge. This gentleman shows—by the evidence of Mr. Grylls, clerk to the committing magistrates, and attorney for the prosecution; by the depositions; by his own brief; by the notes of the judge; and by a letter written subsequently by the judge to the Home Office—that Pooley had been annoying the neighbourhood for years with the grossest indecencies, and, after repeated warnings, was prosecuted at the public desire; that no one suspected his madness (if it existed); and that the instant Sir John Coleridge was apprised of his removal to an asylum he recommended (in the letter we have mentioned) a pardon by the Crown; that the trial was conducted in a fair and temperate way, and that both the prosecuting counsel and the judge told the jury that they were not to convict because the prisoner might hold opinions opposed to Christianity, but only in case it was proved that he had committed acts outraging public decency. It is also shown that on some minor points, such as the name of the committing magistrate, Mr. Buckle is wholly wrong, although he prefaced his attack with an assertion that he had carefully investigated all the facts of the case.

What is to be said, within that moderation of language which we desire to observe—though Mr. Buckle despises it—of a libel so false and so vulgar? Even if Sir John Coleridge had erred in judgment as far as was alleged, it would not have excused the coarseness and ferocity of the assault; but when it is made plain that the statement is an almost entire untruth, what before appeared bad taste and bad temper assumes the aspect of unprincipled malignity. Who, after this, can place credit in any facts quoted, or any assertion made, by Mr. Buckle? If such are the results of his "careful investigations," what is the value of his evidence? We do not know whether the stain on his character as a man, or on his reputation as a writer, be the greater, for all will join Mr. Coleridge in his cutting observation, that the language employed by Mr. Buckle may be the language of "the priests of the altar of liberty," but is not the language of gentlemen.

### THE MEETING OF PARLIAMENT.

If any prisoner at the Old Bailey, indicted under the Fraudulent Trustees Act, or any other Act passed since 1852, were to plead that there was no such statute in existence, because there had been no Parliament since that date, he would probably surprise not only the judge who was trying his case, but every other person who happened to hear the startling defence. Nevertheless, one might make a fair show of argument in favour of this apparently preposterous proposition.

It is the prerogative and duty of the Crown, as defined not merely by custom, but by statute law, to name the time and place for the assembling of Parliament. Sir William Blackstone says, "it is a branch of the Royal prerogative that no Parliament can be convened by its own authority, or by the authority of any except the sovereign alone;" and he assigns as a reason that, "supposing it had a right to meet spontaneously, without being called together, it is impossible to conceive that all the members, and each of the House, would agree unanimously upon the proper

time and place of meeting." The two peculiar and exceptional instances of the Convention-Parliaments, which restored Charles II., which gave the Crown to William III., prove the rule, that the sovereign alone can convoke Parliament. It is equally certain that the only constitutional method of convening Parliament is by *Royal Proclamation*. This is recognised and enforced in various Acts of Parliament, amongst others by the Act 37 Geo. 3, c. 127, which enables the sovereign, when Parliament stands prorogued to a certain day, to issue a proclamation that Parliament shall meet on any other day, not less than fourteen days distant. Parliament is usually—but for obvious reasons, there is no constitutional necessity that it should be—dissolved by Royal proclamation; but that such is the only constitutional mode of assembling Parliament appears to be assumed in the 15 Vict. c. 23. That statute, after reciting that, whereas the time required by law to intervene between the date of the proclamation for assembling Parliament and the day appointed for the meeting thereof, may be reasonably shortened, enacts, that so often as her Majesty shall, by her Royal proclamation, appoint a time for the first meeting of Parliament, after a dissolution thereof, the time so to be appointed may be any time not less than thirty-five days after the date of such proclamation. By the 5 Anne, c. 8 (the Act of Union between England and Scotland), art. 22, it was enacted, that her Majesty might, by her Royal proclamation, under the Great Seal of Great Britain, appoint the first Parliament of Great Britain at such time and place as her Majesty should think fit, which time should not be less than fifty days after the date of such proclamation; and the time and place of such Parliament being so appointed, a writ should be immediately issued, under the Great Seal of Great Britain, for electing the representatives, &c., who, with the English members, are to meet at such time and place as should be so appointed by her Majesty. The 7 & 8 Will. 3, c. 25, enacts, that when any new Parliament should at any time thereafter be summoned or called, there should be forty days between the *teste* and returns of the writs of summons; but since the union with Scotland (under the provisions of article 29), the time had been always extended to fifty days, until the above-mentioned Act of her present Majesty.

Assuming, therefore, as proved, that at all events since the 15 Vict., Parliament can be summoned only by a Royal proclamation, naming the time and place of its meeting, the question is reduced to one of fact—Has there been, during that period, formal observance of this constitutional necessity? The supposed prisoner in the Old Bailey of course would answer in the negative. The Queen's proclamation of the 23rd April, 1859, would no doubt be appealed to on the other side, as maintaining the contrary argument. That proclamation, after reciting that her Majesty had dissolved "Parliament" (which stood prorogued to the then 5th May next), and publishing the same by that her Royal proclamation, proceeds to say that her Majesty had given orders that her Chancellor of Great Britain and her Chancellor of Ireland should respectively, upon notice thereof, forthwith issue writs for calling a new Parliament, and requiring the same to be issued forthwith for causing the Lords spiritual and temporal, and Commons, who are to serve in the said Parliament, to be duly returned, and give their attendance in the said Parliament, which writs were to be returnable on the 31st day of May next. Is this a proclamation for assembling Parliament at a given place on a particular day? If so, there is an end of the question. Supposing it to mean that Parliament should meet at Westminster on the 31st of May, it might have been desirable perhaps to rebut the contrary presumption arising from the fact that the Irish writs are not returnable in Dublin before that day. If the question at issue were the construction of an ordinary Act of Parliament, involving only private interests, it might not perhaps be altogether hopeless to contend that this proclamation

does not name the time and place for the meeting of Parliament; that it is not, in fact, a proclamation for assembling Parliament; and that Parliament cannot meet until at least thirty-five days after the date of such a proclamation.

The Clerk of the Privy Council, we presume, is the official responsible for the drawing up of state documents of this description, and it is to be hoped, when that officer is reinforced by the addition of a new colleague, about which there was lately a rumour, that he may have time to look at the 15 Vict. c. 23.

#### JURIES IN CHANCERY.

From a casual glance at the reports of the case of *Davison v. Young* in the morning papers, some people have given way to the notion that a jury had at last found its way into Lincoln's-inn. Such, however, has not been the fact. Though the trial took place under the provisions of the Chancery Amendment Act of last year (commonly known as the Jury Act), by the consent of both sides, in consideration of the great experience of the Lord Chancellor in cases similar to *Davison v. Young*, it was tried by his Lordship without a jury, the Lord Chancellor himself assuming their functions as well as those of a judge. The case itself was not very remarkable for anything, except as an illustration of the injury done to suitors, in such cases, by the present procedure in Chancery. The simple point in dispute related to a mortgage deed for £350, executed by a man who shortly afterwards became bankrupt, the assignees maintaining that it was executed in contemplation of bankruptcy, and was a fraudulent preference of the mortgagee as a creditor. The question was one of those in which anybody must admit at once the hopelessness of arriving at the truth by written evidence. The cause nevertheless was allowed to go on to a hearing. A number of affidavits were filed in support of the mortgage transaction, all of them framed with a keen appreciation of the importance of persuading the Court that there had been previous pressure by the mortgagee. Of course, under ordinary circumstances, the assignees, if they had any faith in their case, and unless they despaired of doing anything useful at the examiner's office, would have cross-examined upon all these affidavits. In this case, however, they preferred applying for an issue, which Vice-Chancellor Wood refused, and on appeal the Lord Chancellor granted. Then comes a trial at York, in which, unfortunately, in consequence of the frame of the order of the Court of Chancery—and, indeed, of the all but impossibility in any case of shaping issues and giving directions to do exactly what the Court desires—neither the bankrupt nor the mortgagee were examined or produced as witnesses; and the jury upon such partial evidence as came before it found for the mortgagee. A new trial was applied for as a matter of course, and probably would have been granted by any other of the equity judges. But both parties having been put to enormous cost and vexation were only too willing that Lord Chelmsford should be both judge and jury, and consented to abide by his verdict. The course of the trial proved, in a remarkably striking way, the utter worthlessness of affidavit evidence in cases like *Davison v. Young*, where, with a full knowledge of the legal effect of every tittle of evidence, persons who may not be careful to abide by the truth, are at liberty to make up their case in writing, under advice, and to make it evidence by their oath, without the risk of cross-examination in open court; and where the whole case turns upon their credibility, which it is impossible to test in any effective manner in the examiner's office. *Davison v. Young* ought to have been heard before the Vice-Chancellor and a jury wholly upon *voir dire* evidence. The moment it was evident that the only question was what was ultimately decided by Lord Chelmsford, either party should have been at



liberty, under Sir H. Cairns' Act of last year, to have made an application to the Court to that effect; and thus at once to have rendered unnecessary the mass of worse than useless evidence, which was accumulated in the shape of affidavits, for the hearing of the cause. We trust that the insight which the Lord Chancellor must have obtained in *Davison v. Young* into the evils attendant upon a system of exclusively written evidence, may induce his Lordship to put a more liberal construction upon the Act than it has received from others of the equity judges, who have evidently no great partiality for trial by jury.

## The Courts, Appointments, Vacancies, &c.

### COURT OF CHANCERY.

(Before the LORD CHANCELLOR.)

*Davison v. Young.*—May 31.

This was the first trial which has taken place in this Court under the Act, passed in the last session of Parliament, enabling a judge to try questions of fact in the same manner as they are tried at common law. The object of the suit, which first came before Vice-Chancellor Wood, was to foreclose a mortgage for £350 given to the plaintiff, John Davison, by his brother, Thomas Davison, on the 29th of November, 1848. It appeared that Thomas Davison, at the time a trader at Leeds, became a bankrupt within a few weeks after the date of the mortgage, and, upon the hearing of the cause before the Vice-Chancellor, the assignees impeached the deed on the ground of fraud, and asked for an issue at law to try its validity. His honour refused to grant an issue, but, on appeal to this Court, the Lord Chancellor directed one. The trial was had at the last spring assizes at York, and a verdict found for the plaintiff, thereby establishing the validity of the mortgage. A motion was made a short time back to this Court for a new trial, when his Lordship expressed himself dissatisfied with the trial which had taken place, inasmuch as the main object he had in view in granting the issue—namely, the examination of the bankrupt and his brother—had not been carried out. Instead, however, of incurring the expense of another trial at law, his Lordship determined to try the question himself, under the provisions of the before-mentioned statute. A jury having been dispensed with by mutual consent of the plaintiff and defendants, the case now came on for the examination of the witnesses *viva voce*.

The arguments in the case were concluded on the 2nd inst., and his Lordship reserved his judgment.

(Before Vice-Chancellor Sir J. STUART.)

*Davies v. Parry.*—May 30.

This was a bill by a client against his solicitor, for the purpose of obtaining an account of all dealings and transactions between them, and of all sums of money paid or advanced by the defendant to or for the use of the plaintiff, and also for the purpose of obtaining a declaration by the Court that a mortgage executed by the plaintiff to the defendant, and bearing date the 30th of September, 1856, was void, or that such mortgage should stand as a security only for what, if anything, should, upon the taking of the above account, appear to be due from the plaintiff to the defendant. The mortgage in question purported to be a security for upwards of £1,100, and such sum was therein recited to be due from the plaintiff to the defendant, as appeared by an account stated, settled, and signed between the plaintiff and defendant on the same day as that on which the mortgage was executed. The bill alleged that the plaintiff was an illiterate person; that he was a native of Wales, and spoke the English language very imperfectly, and could scarcely read or write more than his own name; and that he was obliged to trust wholly to his legal adviser as to the purport and effect of any legal documents, papers, or writings which he might be called upon to sign or become party to; and the plaintiff's case was, that no other solicitor had been employed on his behalf on the occasion of his giving the above mortgage but the defendant; and that, in fact, only a very small proportion of the sum of £1,100 was due from him to the defendant.

The defendant's case was, that the sum secured by the mortgage was made up of costs in respect of business transacted by him for the plaintiff, and of sums advanced by him to the plaintiff, and for which sums so advanced the plaintiff had,

prior to the mortgage, given promissory-notes to the defendant. The plaintiff further said, that he signed such notes without knowing what they were for, or what their purport or effect was, and that, if he signed any settled account, he did it in ignorance of its contents. The defendant contended that the plaintiff was fully competent to manage his own affairs.

The VICE-CHANCELLOR directed an account to be taken of all the dealings and transactions between the plaintiff and defendant, and an inquiry whether the whole, or any, and what part of the sums mentioned in the promissory-notes were due from the plaintiff to the defendant at their respective dates; and declared that the mortgage should stand as a security only for what should be found to be justly due at its date from the plaintiff to the defendant; the costs up to the hearing to be paid by the defendant.

### COURT OF QUEEN'S BENCH.

*The Queen v. Frederick Hinton.*—May 28.

Mr. Serjeant Ballantine moved for a rule calling upon Frederick Hinton, the mayor and returning officer of Lyme Regis, in the county of Dorset, to show cause why a criminal information should not be filed against him for improper conduct at the last election of a member of Parliament for that borough. The election took place on the 16th of April last. The candidates were Colonel Pinney and Sir Frederick Smith. There had been an arrangement between the agents of the candidates and the mayor, that the time for opening and closing the poll should be regulated by the church clock; and, as there were different polling booths, it was further arranged that, as the church clock was striking four, a gun should be fired off, so that the clerks in all the booths might know exactly when to close the poll. The polling commenced in the morning, and at half-past three in the afternoon the candidates had each polled the same number. The excitement of course then became very great. At ten minutes before four, that grand officer, the beadle of the borough of Lyme Regis, strutted out through the crowd of little boys to listen to the striking of the church clock. Time proceeded rapidly, or, as some would have imagined, slowly—it only wanted three or four minutes to the awful time of four when a cry was heard in the distance. It was known that Thomas Miller, an independent voter, who always exhibited his independence by being very tardy in giving his vote, had not then voted; it was further known that this outcry came from the direction of Thomas Miller's residence. Every eye was therefore directed that way, and the redoubtable Miller was observed to be coming towards the booth, but evidently with considerable reluctance, which might, perhaps, have arisen from a fear that he might be too soon, instead of being too late. In addition to this, it was observed that a most enthusiastic patriot was pulling him by the arm, while another equally enthusiastic patriot was gently persuading him to be nimble by pushing him behind. The independent voter did not seem to relish this mode of canvassing, and he exclaimed, "It's no use pushing—it's no use." Just at this unlucky moment the church clock struck four, and the report of the gun was heard. The voter, in an agony, said, "Don't push, it's too late now;" but he called out, "I vote for Colonel Pinney." The mayor was a lawyer and a wine merchant, and the steward of Colonel Pinney. The great man, the beadle, was also a zealous supporter of Colonel Pinney. The mayor would seem to have been in a difficulty, for the town-clerk said it was too late; and Colonel Pinney said, "If you don't record the vote you will lose me my election." The mayor eventually had the vote recorded, and Colonel Pinney won his election.

Lord CAMPBELL asked if corrupt motives were imputed, because this was not the proper tribunal for trying the validity of the election?

The learned Serjeant said, the affidavit merely stated facts, but did impute motives.

Lord CAMPBELL thought there was sufficient for a rule nisi. Rule granted.

*The Queen v. the Rev. William Walter Roberts. In the matter of Mary Anne M'Donnell.*—May 30.

The facts of this case have been recently reported in our columns. On Thursday last, the Court of Queen's Bench directed an attachment to issue against the Rev. Mr. Roberts, a Roman Catholic priest, for making a false and evasive return to a writ of habeas corpus to produce a child, named Anne Maria M'Donnell, aged twelve, the daughter of a Protestant, who had been detained or secreted at a Roman Catholic school in Westminster. The execution of the attachment was suspended to give Mr. Roberts an opportunity of putting in bail

to appear for judgment if the child was not produced. Mr. Roberts did not put in bail, and was arrested on Friday under the attachment, and has been in custody until this morning. The child was restored to the father yesterday.

Mr. Serjeant *Stee* now, on the part of Mr. Roberts, applied that the attachment be dissolved, and the defendant discharged out of custody, as the child had been restored to the father. Mr. Roberts had made an affidavit in which he denied all intention of deceiving the Court in making the return he had to the writ; the child was not in his custody.

Lord CAMPBELL said, whatever was the intention of Mr. Roberts, the return was not only evasive, but prevaricatory. Mr. Roberts could have produced the child, and persons in the situation of Mr. Roberts and the public must understand that the Court would not permit its authority or the law to be set at defiance, and in cases where the writ of habeas was not obeyed, but a return made of an evasive and false character, the Court would visit such a contempt of the law and the authority of that Court with condign punishment. Was the child now in the custody of the father?

Mr. *Lush*, who appeared for the prosecution, said, he understood it was delivered to him yesterday. Should the Court be disposed to grant the application, he hoped the Court would direct Mr. Roberts to pay all the costs of these proceedings.

Lord CAMPBELL said, as the child had been restored, the attachment might be discharged on payment of all the costs of the proceedings by Mr. Roberts.

The other judges having made some remarks concurring with Lord Campbell,

The attachment was ordered to be discharged, Mr. Roberts paying all the costs.

On Tuesday, the costs in this matter, which were ordered on Monday to be paid by the defendant by the Court, were taxed by Master Jones, of the Crown Office. Mr. Leonard, from the firm of Messrs. Graham & Lyde, who had the management of the prosecution, and Mr. Ward, attorney for the defendant, attended the taxation. The bill was taxed at 52*l*. 18*s*. 3*d*., which the defendant was called upon to pay for his contempt of the writ of habeas corpus. It appears that the child, Mary Ann McDonnell, was restored to her father on Monday afternoon, having been, it is understood, staying at Brompton; so that from the 5th April till the 30th May her parents did not know where to find her. The defendant, not having complied with the order of the Court as made on the first day of term, was arrested on Friday evening, in Palace-street, Westminster, and taken to a lock-up house in Cursitor-street, Chancery-lane, in custody of the sheriff's officer, where he remained until Monday, when the Court was moved as above for his discharge. Subsequently an application was made that the defendant might be discharged on an "undertaking" to pay the costs, as his discharge would be delayed for their taxation, and it was directed to take place, on which the defendant, on Monday afternoon, was released from the custody of the sheriff, after a detention from Friday evening. The child McDonnell is now under the care of her father at Pimlico.

#### COURT OF COMMON PLEAS.

*Briggs v. Reeve.*—May 30.

In this case Mr. Serjeant *Thomas* moved for a rule calling on the defendant to show cause why the verdict should not be set aside, and a new trial be had, on the ground that the verdict was against the evidence. The learned counsel said, his great ground of complaint was, that the plaintiff had not had a fair trial. The action had been tried before Mr. Justice Williams, who, he complained, had summed up all on one side.

Mr. Justice WILLIAMS.—You put your case in very strong language to the jury, on the ground that your client was a poor man, and I was obliged to take off the effect of your address.

Mr. Serjeant *Thomas* did not think his Lordship could be aware of the weight of what he had said; he had left the jury no course but to find against his client. His Lordship had said a jury was a very good institution, of course, but he had added, "they would be robbing the defendant if they did not do justice according to the evidence," and he told them "they must not steal rich men's leather to make poor men's shoes."

Mr. Justice WILLIAMS.—What I said was, that a jury was a good institution, but that it became a nuisance if it gave a verdict on any other ground but the evidence.

Mr. Serjeant *Thomas*.—And his Lordship having lashed the jury into terror—

The LORD CHIEF-JUSTICE.—I see, brother *Thomas*, the jury had been well lashed before it came to my brother Williams's turn. All that my brother Williams told the jury was, they

must not allow their feelings of compassion to influence them in giving a verdict against a man who was not liable to pay. But what were the facts?

Mr. Serjeant *Thomas*.—The action was brought to recover compensation for an injury sustained by the plaintiff, who had been run over by the defendant's cab. The plaintiff was a labourer employed in the Green Park, and was going down Grosvenor-place and crossing Halkin-street, when he saw a carriage passing; he waited till it had passed and then stepped off the curbstone, and was instantly knocked down by the defendant's cab. The cab was going at eight miles an hour, and taking a clergyman to his dinner. The plaintiff swore that he used caution, and looked, and his Lordship told the jury that it was a physical impossibility he could have looked.

Mr. Justice WILLIAMS.—Oh, no! "that he should have looked and not have seen the cab." The clergyman in the Hanson cab was called, and said it was impossible that the driver could avoid the accident.

Mr. Serjeant *Thomas*.—I cross-examined that man as to his ability to see the accident, and your Lordship was angry.

Mr. Justice WILLIAMS.—You call him "a man;" he was a gentleman.

Mr. Serjeant *Thomas*.—Your Lordship was very angry that I should cross-examine him because he was a clergyman; and then your Lordship told the jury not to steal rich men's leather to make poor men's shoes with.

Mr. Justice WILLIAMS.—You should not say so; I said Lord Holt used to say that.

Mr. Serjeant *Thomas*.—Oh! of course your Lordship varnished it.

Mr. Justice WILLIAMS.—I certainly should not have summed up so strongly if you had not addressed the jury so strongly before about the hardship on your client, who was a poor man.

The CHIEF JUSTICE.—There will be no rule.

Mr. Justice WILLIAMS.—It would have been very unjust had the verdict been the other way, and the learned counsel would think so himself had he not been counsel.—Rule refused.

#### COURT OF BANKRUPTCY.

(Before Mr. Commissioner HOLROYD.)

*In re The Royal British Bank.*—May 31.

Mr. *Linklater*, solicitor for the assignees, addressing the Court, said:—I am happy to say that, in consequence of the successful manner in which a very heavy matter has been arranged, and with the aid of a small amount in the hands of the official manager, we are now in a position to declare a further dividend of 1*s*. in the pound. Without that aid, the assignees would have been able to pay another shilling, making up 11*s*. in the pound, payable to the creditors under this bankruptcy, being 1*s*. more than was ever expected to be realised. Debts are now proved to the amount of £542,000; and a sum of £27,100 will be required to pay a dividend of 1*s*. in the pound. We have now that amount at command, and something more; and I entertain no doubt that by December of this year we shall be able to pay a further dividend of 6*d*. in the pound, making a total dividend of 15*s*. It happens, unfortunately, that the creditors of the Royal British Bank have not had that relief from the shareholders which they had a right to expect from so large a body; for, notwithstanding the very great exertions of the official manager, he has not been able to realise more than has enabled him to pay a dividend of 3*s*. 6*d*. in the pound; and he does not hold out any hope that he will be able to pay more than 2*d*. or 3*d*. further. This is without any contribution whatever from the past shareholders of the bank, who, according to the theory of the law, remain liable for three years for debts incurred while they were shareholders. Whether we shall be able to reach the past shareholders, either by proceedings at law or in equity, seems to be a question involved in very considerable difficulty and doubt. There are several shareholders who have not yet paid anything, although their means are considered to be ample; and as this is the only opportunity we have of publicly addressing these persons, I may state that the assignees intend to act upon the advice that has been given them, and to publish from time to time the names of the defaulters, until they are brought to a sense of the duty which they owe as well to the creditors as to their fellow-sufferers. If those who have not already contributed, as well as the past shareholders, would subscribe a small sum in proportion to their liability and their means, and with what is believed to be their property, we should be able to make up the dividend to 16*s*. 6*d*. in the pound, but that will of course depend upon whether the persons I allude to become impressed with a sense of their duty. But being now



in a position to pay a further dividend of 1s. in the pound, I have to apply for the appointment of a sitting for the purpose of its declaration; and it fortunately happens that the official assignee will be able to avail himself of the rotunda of the Bank of England for the purposes of the dividend; it being necessary with 4,000 creditors to have the facilities which that building alone affords. The dividend meeting will be held on the 24th of June, and on the 28th and 29th the dividend will be paid.

Mr. Lee (official assignee).—In the course of the next week; we shall have to arrange a day with the Bank.

Mr. Linklater said, the litigation which the assignees had just settled threatened at one time to be of long duration, for they were told that the House of Lords would have to decide the question in dispute. He was happy to say that this was the last litigation in which the Royal British Bank was likely to be involved.

The COMMISSIONER.—The assignees seem to have fully carried out their expectations.

Mr. Linklater.—They have done more. It was never expected that more than 10s. in the pound would be realised under the bankruptcy, but we have had the assistance of Mr. Taylor, Mr. Wyld, and others as assignees, and they have exerted themselves very much for the interests of the creditors.

The Court appointed the 24th of June, at eleven o'clock, for the dividend meeting.

### INSOLVENT DEBTORS COURT.

(Before Mr. Commissioner MURPHY.)

*In re W. Fitzgerald.—May 27.*

The insolvent, a gentleman's servant, applied for his final order.

The applicant, while at Cirencester, contracted a debt of £19 with a Mr. Bishop, a grocer. He came to London, and was discovered by an agent of a trade protection institution in Ironmonger-lane, Cheapside. He said he was "frightened," and offered £1 a-week, which was his full salary. He could not comply, and Mr. Hall, an attorney, applied to him, and he then petitioned the Court.

Mr. Denney complained that the insolvent had been hunted by a protection society, and being frightened that he should lose his situation, he didn't know what he offered.

Mr. Hall said, he was instructed by the creditor in Cirencester.

A person named Wood, who said he was agent to his brother, who was proprietor of the Trade Protection Institution in Ironmonger-lane, stated, that he found out the insolvent, and, as he would not pay, the case was put into the hands of an attorney.

Mr. Commissioner MURPHY expressed his decided opinion that such "institutions" were contrary to law, and the parties liable to an information by the Attorney-General for champerty and maintenance. As long as such societies confined themselves to "inquire," they did not go beyond their limits; but if they fostered law suits, they did, and he would not countenance them; neither would he give protection to a grocer who allowed a gentleman's servant to get into his debt for upwards of £19.

The final order was granted.

(Before the CHIEF COMMISSIONER.)

*In re G. D. Clark.—May 30.*

This case, which was commenced in December, 1857, before the late Commissioner Phillips, and, after the decease of that learned gentleman, was continued before the Chief Commissioner, was brought to a close to-day.

The question in dispute was simply whether the opposing creditors were indebted to the insolvent, as he insisted they were. Messrs. de Hoekeren & Kennard had employed the insolvent in 1853 as their agent in carrying out a concession which had been granted to them by the French Government for the erection of a model lodging-house in the Rue de Montreuil, Paris, and they asserted that they had paid the insolvent several thousands of pounds over and above what had been expended upon that establishment, with which alone they had any connection. The insolvent, on the other hand, declared that other undertakings in Paris, such as a model lodging-house at the Batignolles and a cantine at the Paris Exhibition, were also matters in which he had acted as the agent of Messrs. de Hoekeren & Kennard, and upon those accounts he claimed to have a claim for £19,000. It would be impossible, as it would also be uninteresting to the public, to give any out-

line of the mass of correspondence and accounts introduced into the case; and it is only necessary to give the result at which the learned Commissioner arrived, as expressed in a written judgment which occupied five hours and a quarter in delivering.

His HONOUR, after an elaborate review of the evidence, both oral and documentary, expressed his conviction that the opposing creditors had no interest in any scheme but that of the Rue de Montreuil; that they had advanced to the insolvent £6,000 more than had been expended upon that establishment; that his claim for remuneration upon the fullest and most liberal computation was far more than covered by that excess; and that, therefore, there was no foundation for the claim which he made against the opposing creditors. There was no objection to the discharge, and, therefore, whatever the insolvent chose to swear to on his schedule, he would receive an adjudication.

The insolvent swore to his schedule, on which he retained his claim against the opposing creditors, and declared that the judgment of the Court, although, no doubt, a conscientious, was an erroneous one.

The insolvent was then discharged.

### MEMORIAL OF MR. GERMAIN LAVIE.

The *Guardian* gives a detailed account of the window which has been erected in Christchurch, Westminster, to the memory of Mr. Germain Lavie. The window, which was painted by Mr. O'Connor, is much admired, and bears in the trefoil the initials and coat of arms of Mr. Lavie. Beneath is this inscription:—

To the Memory of  
GERMAIN LAVIE, M.A.,  
Auditor of Christchurch, Oxford, and late of Queen's-square,  
Solicitor.  
This window is dedicated by friends who admired and  
respected his professional zeal and integrity,  
And lament

The sudden removal of a bright example of  
Christian virtue.

He died on the 13th day of July, 1837,

Æt. 57.

In further token of regard they have fulfilled one of  
his latest wishes,

By completing the Southern Chancel Window.

The cost of the window was defrayed by subscription, collected by a committee which had Sir William Page Wood for its chairman.

DEATH OF MR. PASHLEY, Q.C.—We regret to state that R. Pashley, Esq., the Assistant-Judge of the sessions of the peace in and for the county of Middlesex, expired on Sunday, at his residence in Manchester-square, at the age of fifty-four, after a short illness. Mr. Pashley had a very extensive practice in the Court of Queen's Bench in cases of appeal from the decisions of quarter sessions all over the country, but more especially cases coming under the New Poor Law Board Act. He succeeded to the office of Assistant-Judge of the Middlesex Sessions on the death of the late Mr. Serjeant Adams, after which he was made a Queen's Counsel. He was first called to the bar by the benchers of the Inner Temple on the 17th of November, 1837, and was at the time of his death Steward of Knareborough. The office of Assistant-Judge is in the gift of the Home Secretary, and must be filled by a serjeant or barrister of ten years' standing. The salary is £1,200 a-year.

### Notes on Recent Decisions in Chancery.

(By MARTIN WARE, Esq., Barrister-at-Law.)

#### SOLICITORS ACT—AGREEMENT TO PAY PROFITS TO A STRANGER—BARRATRY.

*Scott v. Miller*, 7 W.R., V.C.W., 179.

This case will probably be again brought before the Court, but as it is of some practical importance to those engaged in the legal profession, it will be as well to advert to it at once. The terms of the 2nd and 32nd sections of the Attorneys and Solicitors Act (6 & 7 Vict. c. 73) are well known. By the former of these sections all persons are prohibited from acting as attorneys or solicitors, unless admitted and enrolled. By the 32nd section it is enacted, that if any attorney or solicitor shall act as agent in any action or suit for any person not duly qualified to practise, or permit his name to be used in any action or suit upon the account or for the profit of any such unqualified person, the attorney or solicitor so offending shall be struck off the rolls. In the present case a certificated conveyancer entered into a verbal agreement with a solicitor that in case he (the conveyancer) should introduce to the solicitor any business for which the solicitor should have a claim for costs, the solicitor should

pay him a commission equal in amount to the moiety of the net gains and profits realised by the solicitor from all such matters of professional business after deducting the amount of all moneys expended; and also that in case the conveyancer should employ the solicitor as his attorney to transact any professional business for him no charge should be made for such professional business, beyond the amount of money actually expended. The conveyancer filed a bill against the solicitor for an account, alleging that the latter had transacted various matters of professional business, especially in prosecuting and defending actions at law on behalf of clients who had been recommended by the plaintiff, but refused to account for the commission which was agreed to be paid to the plaintiff. The defendant refused to answer the interrogatory founded on the statement of the agreement, on the ground that if it was to the effect alleged in the Bill, he was liable under the provisions of the Attorneys and Solicitors Act to be struck off the rolls; and was also liable to penalties at common law for common barratry and maintenance. The plaintiff having excepted to the answer, the case was heard before Wood, V. C. His Honour, however, was of opinion that there was nothing in the agreement contrary to the provisions of the Attorneys and Solicitors Act, or to the statutes against barratry. He likened it to the case of a solicitor directing by his will his business to be carried on for the benefit of his family; or of a solicitor retiring from business and receiving an annuity in proportion to the business, neither of which arrangements would be illegal under the Attorneys and Solicitors Act. The point which the Vice-Chancellor appeared to think exempted the present case from the operation of the statute was, that the plaintiff had nothing to do with the business after it was introduced. He stood aloof from the business, and merely received the profits. Nor did his Honour consider that the agreement partook of barratry; which term implied the getting up and instigating suits for profit. The term might have been applicable if the plaintiff had been a person unconnected with law, whereas he was a certificated conveyancer. The judgment does not seem to be very fully reported on this point; but it may be presumed that his Honour meant, that, although it was not the plaintiff's business to conduct suits, yet it came within his professional duty to advise as to their institution.

When the cause comes to a hearing, the Vice-Chancellor will have to decide the further point, whether the agreement is such a one as the Court, looking to the general policy of the law, will uphold. His Honour expressly reserved his opinion on that point; but from the tendency of his judgment it does not appear likely that he will consider the agreement void on that ground.

#### WILL—REMOTENESS—ACCUMULATIONS—UNCERTAINTY.

*Oddie v. Brown*, 7 W. R., 472 (Full Court of Appeal).

This was a case of construction of a will, which involved so much doubt that it was heard successively before the Lords Justices and the full Court of Appeal; and the judges were eventually divided in opinion. *Knight Bruce, L.J.*, who differed from the majority of the Court, commenced his judgment by remarking, that "the instrument which the Court is called upon to construe is so mysteriously constructed, that one is agreeably surprised to find the four judges before whom it has been brought for exposition, arriving at only three different conclusions."

The clause was, however, a short one. The testator directed trustees to accumulate his residuary personal estate until the same should amount to £3,000, "or thereabouts," and then to place out the same at interest, and pay it amongst seven persons named for life, and after the decease of the survivor to pay the said principal sum of £3,000, "or thereabouts," amongst the issue of the seven tenants for life. The points decided by the majority of the Court (the Lord Chancellor and *Turner, L.J.*) were:—1. That the words "or thereabouts" did not make the bequest void for uncertainty. 2. That the vesting was not postponed till the whole £3,000 was accumulated; but the residue, and the accumulations, whatever they might be, vested at death of the survivor of the seven tenants for life; and, therefore, the gift was not void for remoteness. 3. That a direction to accumulate, till a certain sum is produced, is not void at common-law. 4. But that the accumulation was stopped by the *Thellusson Act*; so that the interest between the end of twenty-one years from the death of the testator and the death of the surviving tenant for life went to the next of kin.

#### GRANT OF ADMINISTRATION—MAJORITY OF INTERESTS.

*Iredale v. Ford*, 7 W. R. 462 (Court of Probate).

This case, although not decided in a court of equity, is worth

noting by those engaged in testamentary matters, as showing the principles of the Court of Probate in selecting the person to whom administration should be granted. A man having died intestate, leaving one brother and three sisters, his only next of kin, a contest arose between the brother on the one hand, and two of the sisters on the other, for the letters of administration. The brother relied upon the rule that *ceteris paribus* the male is to be preferred to the female; the two sisters (who were supported by the remaining sister) relied upon the maxim that the grant ought to follow the majority of interests. Both these rules are acknowledged by the Court in granting administration, and the question was, which ought to have most weight when they were brought into conflict. Sir *C. Crosswell* considered that the rule in favour of the majority of interests was the more stringent one of the two, and he therefore granted administration to the two sisters, to the exclusion of the male claimant.

#### Notes on Recent Cases at Common Law.

(By JAMES STEPHEN, Esq., Barrister-at-Law, Editor of "*Lush's Common Law Practice*," &c., &c.)

#### PROCEEDINGS IN BASTARDY—IRREGULARITY, WAIVER OF.

*Reg. v. Simmons*, 7 W. R., C. C. R., 439.

A few weeks ago notice was taken of the case of *Reg. v. Berry*,\* as establishing the important principle, that the proceedings given in the Bastardy Acts (7 & 8 Vict. c. 101, and 8 Vict. c. 10), with a view to affiliating a child on its putative father, are not in point, but in the nature of a civil suit; and that, consequently, an irregularity in the process by means of which the putative father is brought before the Court, may be waived by his attending the summons without taking the objection. Upon the authority of this case, the present one was also decided in favour of the Crown. In that referred to above, the defect in the summons complained of, was that it did not, on the face of it, appear (according to the requirements of the statutes) to have been granted in consequence of a written information, and after oath made that money for the support of the child had been paid to the applicant by the putative father. In the present case, however, no defect at all was apparent on the process itself; but it was contended, that, in point of fact, no proof of the payment of any such money had been given to the magistrates; and that, consequently, the foundation for the summons failing, the case was *coram non iudice*. The Court of Appeal held, however, on the contrary, that as the summons was regular, the Court of Petty Sessions were bound to proceed with the hearing; and that, as no defence was made thereat by the putative father on the ground of irregularity, in issuing it without proof of his having paid maintenance money, he was, on the authority of *Reg. v. Berry*, estopped from afterwards objecting to the proceedings on that ground.

#### INSOLVENT'S SCHEDULE, ERRORS IN.

*Bircham v. Walker*, 6 W. R., Q. B., 442.

This case also turned upon a point recently noticed†—viz. the amount of accuracy and fulness required by 1 & 2 Vict. c. 110, in the schedule of an insolvent, who afterwards seeks to avail himself of his discharge in bar of an action, for a cause inserted therein. In the present case the validity of the plea of discharge was objected to, by reason of an inaccurate mode of spelling the name of the creditors who were the plaintiffs in the present action; by means of which mistake a letter sent to them by the Insolvent Court, advising them of the insolvent's petition, miscarried, and they were consequently deprived of the opportunity of opposing his discharge. The Court held, however, that the mistake was of such a trivial character that the notice might reasonably have been expected to have reached the creditor; and there was no pretence that there had been anything like fraud on the part of the defendant. Consequently, they pronounced in favour of the plea; and caused a verdict, which had been entered for the plaintiff, to be set aside, and a verdict for the defendant to be entered instead. (See Cooke's "*Insolvent Practice*," 2nd ed., p. 140.)

#### PRACTICE—COMMON LAW PROCEDURE ACT, 1852, s. 139—DEATH OF PLAINTIFF AFTER VERDICT AND BEFORE JUDGMENT.

*Frewin v. Lethbridge*, 7 W. R., Ex., 442.

This was a point of practice arising under the Common Law Procedure Act, 1852. By the 139th section of that statute it

\* Sup. p. 325.

† See *Booth v. Goldman*, sup. p. 265.



was enacted, that if a sole plaintiff in an action shall die between the verdict and the judgment the death shall not be alleged for error, so as the judgment "be entered" within two terms after the verdict—such provision being a re-enactment of 17 Car. 2, c. 8, s. 1. The question which arose in the present case was as to the meaning of the expression here used of "entering judgment"—whether it was satisfied by entering the verdict in the Master's book, or whether it imported a formal entry of final judgment after the Master's allocation of costs. The Court held that, as the words in the Act of 1852 were precisely similar to those used in the statute of Charles II., a decision as to the one would be applicable to the other; and that in speaking of the case of *Underhill v. Devereux* (see note to 2 Wms. Saund. 72), it was expressly laid down by *Williams, Serjt.*, that "signing judgment" merely on taxation of costs was sufficient, without any more formal entry. He says, "The judgment upon this statute is entered by or against the party as if he was living (*Weston v. James*, 1 Salk. 42), and it should be entered, or, at least, signed within two terms after verdict; for signing the judgment is an entering of it within the statute (*Helle v. Baker*, 1 Sid. 385; *Webb v. Spurrell*, Barnes, 261)." Hence it appears that, in order to come under the benefit of either Act it is only necessary that the plaintiff shall have signed his judgment (with which, the taxation of costs is contemporaneous) within two terms of his verdict; and that he need not, for this purpose, enter that judgment on record at any time. It is not, however, easy to understand the special circumstances of the present case as reported, because from it the signing of judgment and taxation of costs would seem to have been made more than two terms after the verdict; and yet the Court refused to set aside the Master's allocation. The nature of the action, moreover, is not stated, and it was probably one which died with the plaintiff; but even in such case—as in libel—it has been held that judgment may be entered up by the plaintiff's representatives (*Palmer v. Cohen*, 7 B. & Ad. 966). It is not, therefore, clear why, in the present case, the course was not taken to endeavour to reverse the judgment itself for error, instead of merely applying for the Master's allocation for costs to be set aside. (See *Chitty's Arch. Pk. V. C. xxxiii.*)

#### BILLS OF SALE, REGISTRATION OF—17 & 18 VICT. c. 36.

*Boutill, appellant, v. Roulet, respondent*, 7 W. R., Q. B., 444.

There have been a considerable number of points judicially determined with respect to the provisions of the statute (17 & 18 Vict. c. 36) requiring bills of sale to be registered, before they can adversely affect the creditors of the person by whom money is raised by this species of security; and, in particular, the description both of the giver and of the attesting witnesses, necessary to comply with the requirements of the Act, has been discussed in several cases. (See *England v. Blackwell*, 27 L. J., Q. B., 124; *Allen v. Thompson*, 1 H. & N. 15; *Tuton v. Sanoni*, 6 W. R., Exch., 545.) In the present case the question was, whether the affidavit of the attesting witness that he witnessed the execution must positively state that the deponent was the attesting witness. The Court held, that such fact need not be expressly stated, provided it sufficiently appeared otherwise—as, for example, by the affidavit being so worded that a reasonable man could not doubt that the fact of the identity to be intended to be alleged; or by means of a comparison between the affidavit and the attestation on the bill itself.

### Parliament and Legislation.

On Tuesday last, May 31st, the new Parliament assembled, and, after the opening by the Royal Commissioners, the House of Commons proceeded, on the motion of Colonel Wilson Patten, seconded by Sir Francis Baring, to re-elect Mr. Denison as Speaker. The election was in due form confirmed by the Commissioners, and the House has since been occupied with the swearing in of members.

In our list of solicitors returned to the House of Commons (at page 552) at the late general election, we omitted to insert the name of P. S. Humberston, Esq., Member for Chester.

#### THE NEW BANKRUPTCY BILL.

A meeting of the Mercantile Legislation Committee of the National Association for the promotion of Social Science was held in the Council Chamber, Birmingham, on Tuesday, for the purpose of considering what alterations should be made in the Bankruptcy Bill, before it is again introduced, and to make arrangements for a vigorous support of the measure in the next

session of Parliament. G. W. Hastings, Esq., occupied the chair, and there were also present delegates from the principal chambers of commerce and trade protection societies in England.

The CHAIRMAN, after referring to one or two matters of minor importance, spoke of the position they occupied on the subject of bankruptcy law. A year and a half ago they met in that room, and passed certain resolutions which formed the foundation for the Bill which Lord John Russell introduced at the commencement of the last session. Though the House of Commons was unanimous on the necessity of revising the bankrupt law, there was no doubt that if the Bill had been proceeded with, some alterations would have had to be made. There were two kinds of opposition. The first was from men who do not want the bankrupt law improved or altered in any way, and who, declining, for the most part, to grapple with any of the real principles of the measure, attempt to ride off on certain small details which they say would be deleterious to the community. One objection thus made, and started, he believed, in Birmingham, was, that the passing of the Bill would entail a very large expense upon the country, would deprive the Court of Bankruptcy of all its present funds, and would be a burden on the Consolidated Fund to the extent of £100,000 a-year. Now, this was all a delusion. It was impossible any such result could follow. The official assignees say that under the present system in bankruptcy they are compelled to pay into the Bank of England all moneys received in collecting assets—that those moneys make a sum of upwards of a million and a half, and that the interest of that produces £40,000 a-year, which pays the salaries of the judges and other expenses of the Courts. It was true that the interest was used to pay the expenses of the Court, but there was not the smallest ground for saying that if the Bill passed this state of things would cease to exist. The error had been to assume that that million and a half paid in by the official assignees was also paid out by them in administering the estates. A million and a quarter of that sum consisted of unclaimed dividends which had been lying in the bank for years, and which were, in fact, a permanent fund invested in the stocks. The mistake had arisen because the Bill proposed to abolish the office of Accountant-General, it being intended to place the fund in the name of the Chief Registrar. The floating balances belonging to estates now under administration were about £300,000, and to this extent would there be a loss, though even this amount would be diminished by the £100,000 which he believed was in the hands of the Insolvency Court, and by the constant additions which would naturally be made to the general fund. Another objection made to the Bill was, that if it were to pass into law, the whole of the security now obtained by the system of official assignees would cease; but a return made some time since to Parliament showed that five or six of the official assignees under this system of perfect security had themselves absconded with sums varying from £52,000 to £800. No one wished to make it a personal matter with the official assignees; but it was well to bear these facts in mind, when unfounded assertions were put out. A few weeks ago, during a discussion which took place at the rooms of the Law Amendment Society, it was urged that the £600 a-year which the Bill proposed to allow the official assignees was quite insignificant, and that no one would be got to do the work for that. The promoters of the measure did not confine themselves to that sum, but they thought that when, as a return proved, the office expenses of an assignee in the country did not exceed £300 on an average, the office—leading, as it might do, to a profitable business—was one which any respectable man would be glad to compete for. Certainly, when he found one assignee getting as much as £6,000 per annum under the present system, or three times the salary of a London commissioner, he (Mr. Hastings) did not wonder at the official assignees being opposed to any alteration, and at their adopting a tone unsuited to the position they were originally intended to occupy. The other kind of opposition raised to the Bill was that made by a very powerful body of mercantile men in London; and as this had merely reference to certain details, it was generally felt that these should be met as far as possible. Mr. Morley was now present as the representative of these gentlemen, and discussions on each of the points (which Mr. Hastings briefly explained) would no doubt take place. If they could now agree as to the alterations which were necessary, there would probably be no necessity for the select committee of the House, which, it was understood, some effort would be made to obtain.

Mr. MORLEY said, there was nothing peculiar in the trade of himself or his London friends which should induce them to look at the question differently from gentlemen in the country, and so thoroughly satisfied was he that they had very much in

the shape of effective opposition to encounter, that it was clear they must try to see their way to united action. The great difficulty felt in London had been how to get at the property of insolvent debtors. This was easy enough in three-fourths of the cases they had to deal with, but the difficulty was with debtors who were either dishonest, or who were disposed to give preferences or to take a position hostile to creditors. What was wanted was a power which would be direct and specific. They wanted to be able to summon a debtor to the Court of Bankruptcy, not for the purpose of putting the Court in motion for the mere recovery of an individual debt, but that a creditor should be able, acting on behalf of a body of creditors, to bring a man to book, and compel him to prove that he was not in a position which should call for the intervention of the Court. They should, whilst protecting the trader, give the means of prompt action, and of course this action would not be permitted until sufficient grounds for it had been shown. It had been suggested that the non-payment of a bill of exchange, after proper and reasonable notice, might be fairly made ground for these proceedings; and, of course, the creditor should be compelled to state upon oath that there were reasons for the intervention of the Court; and he would have six days made the time for appearance under the summons.

After considerable discussion, on the motion of Mr. BRUTON, seconded by Mr. JOHNSON, the clause suggested by Mr. Morley and the London Committee was unanimously passed. It was to the effect, that non-payment for six days after it is payable of a debt due on a certain day, on a bill or other instrument signed by a debtor, shall be an act of bankruptcy, provided the creditor shall summon the debtor, within a month after it is payable, before the Court; and provided the Court is of opinion that the debtor has not a good defence, or is not in good and solvent circumstances.

The question, whether a somewhat similar clause should not be framed in reference to book debts, was afterwards the subject of considerable discussion, a general opinion being expressed that the clause should be so framed as to prevent the Court being used merely for the recovery of debts. On the suggestion of Mr. RYLAND, it was agreed to adopt a clause to the effect, that the non-payment of a debt payable by a trader for six days after payment had been demanded, in a form to be prescribed, shall be an act of bankruptcy, with the provisoes stated in the clause previously passed.—Mr. BRUTON had moved that the words "by a trader" should be left out, but this amendment found no supporter.

The other printed amendments, which had been circulated among the chambers, after a lengthened discussion, were, with some alterations, adopted by the meeting. Among them was a provision placing the appointment of trustee of the estate in the hands of three creditors' assignees, instead of the whole body of the creditors.

Resolutions were passed that the Bill, so amended, should be introduced early in the next session, and should have the united and vigorous support of the chambers of commerce, and the merchants and others of the City of London, represented by Mr. Morley.

### Communications, Correspondence, and Extracts.

#### THE EXAMINATION QUESTION.

To the Editor of THE SOLICITORS' JOURNAL & WEEKLY REPORTER.

SIR,—Will you allow me to strengthen "Observer's" observations on the shortness of the time for articled clerks' examination with my own experience?

I went to the last examination as to a pleasant day's work; and having heard of candidates leaving at 1:30, I took time, and drafted most of the common law answers, but found it past one before I had finished this first division. I hastened over conveyancing, and hurried over equity and bankruptcy—reading a question, and writing the answer instantaneously—and finished at 4:55, having omitted three answers in the four first divisions, and left criminal law untouched.

It is clear to me that cramming enables a man to answer more readily than real reading, and I was glib enough at little matters got up for the occasion; but in questions that I knew most about, I felt that I must not write a pamphlet, and yet the requisition to give reasons for my answers puzzled me exceedingly. Fancy explaining the doctrine of reputed ownership in bankruptcy, and then explaining the reasons!—I left that blank for want of time. Or stating some of the defences

which defendant may plead together without leave!—I knew there were seventeen, but it took me ten minutes at least to recollect sixteen, and the seventeenth occurred to me next morning. Or defining a bill, a note, and a cheque, and then giving reasons for my answer, such as explaining liabilities, dishonour, notice, &c.! Or defining estates tail, &c., and giving reasons, from the common law and statute de donis down to the Fine and Recoveries Abolition Act! Pray, sir, is it easy to select from fifty equally cogent reasons in five minutes? It's like tossing a man into the sea that he may drink quickly.

I would suggest, then, that each division of questions should be subdivided, and that the examination should occupy two days—half of each division for each day.

Also, candidates would know far better what to aim at if the examiners would publish the answers which have obtained prizes.

As to the over-severity of the examination, I cannot see it; but I believe that if all mutual assistance amongst the candidates were to cease, the number of postponed would be doubled.

I don't complain of the examination; but I think it would be an improvement if the time were doubled, especially for those who, like myself, write a slow hand. As it was, my difficulty was the hurry, and I did not feel satisfied with what I had done.—I am, Sir, yours obediently,  
HUGH BROWNE.

Nottingham, May 26, 1859.

#### THE LANGUAGE OF LAWYERS.

To the Editor of THE SOLICITORS' JOURNAL & WEEKLY REPORTER.

SIR,—Your correspondent "Nemo" complains of the misuse of words, and sets forth what he considers instances. Now, if he will look to the derivation of "contention," he will not find that the word is much abused by the lawyers in its meaning.

With regard to the misuse of the word "short" in the cases adduced by him, it is in my opinion simply an idiomatic use of the word "short;" the words "statement of the" being omitted by the figure ellipsis. By the bye, will "Nemo," according to his own theory, explain the expression "growing corruption" used by him in his letter. Also the passage, "One cause of the gradual deterioration of the English language arises;" stating why he says that the cause "arises" and not "exists," and why the English language is *deteriorated* by the process he describes.

I think he has given a very complete answer already to his objections to the word endorse. But I conclude that he does not admire poetry because metaphor is used in it.

I do not wish to carp idly at your correspondent's language or at his theory, but really he should not have raised such absurd objections, or at least have brought better instances—instead of instances which are no instances.—Your constant reader,  
AN ARTICLED CLERK.

June 1, 1859.

#### MR. COLERIDGE'S REPLY TO MR. BUCKLE.

In a letter addressed to the editor of *Fraser's Magazine* Mr. J. D. Coleridge furnishes a statement of the facts of the case on which Mr. Buckle has founded his unwarrantable attack on Mr. Justice Coleridge. A short summary of that statement, extracted from the letter, will, doubtless, interest our readers:—

"On the 1st of July, 1857, as appears from the original depositions, Thomas Pooley was brought before two magistrates,—Mr. Howell and Mr. Tatham—sitting in petty sessions at Laneath, on a charge of uttering blasphemous libels, and was committed for trial at the ensuing assizes at Bodmin. It is not true, as Mr. Buckle states, that Mr. Glencross committed Pooley for trial. He was not even present when the case was heard against him. It is not true, in the sense in which Mr. Buckle states it, that Mr. Bush was the prosecutor. He was the nominal prosecutor; and, as Mr. Grylls states to me, 'allowed his name to be made use of,' but the prosecution was the result of the general feeling of disgust and annoyance in the neighbourhood at Pooley's proceedings.

"For fifteen years the neighbourhood had been annoyed by the constant writing upon walls and gates of blasphemous and disgusting sentences; and it was not doubted, from his conversation and well-known habits of thought, that Pooley was the person who had written them. The practice had so far increased in 1857, that frequently on six or seven gates, in the course of a few days, sentences of a most offensive sort would be written, though soon rubbed out by passers-by. Children read them, and inquired about them. At last Pooley signed his name, with the word 'blasphemy' before it, at the end of one of them. This, it should be observed, was just after an advertise-



ment had been put into the local papers, warning the person who had been for some time committing these offences that proceedings would be instituted against him, if the commission of them was persevered in. There is no foundation whatever, as I learn from Mr. Grylla, for Mr. Buckle's statement, that Pooley's mind had become unsettled on the subject of religion for about two years before his trial, in consequence of an accident. He had been an avowed infidel for fifteen years at least, and no one had interfered with him till his practices caused general annoyance."

"I knew it was a troublesome and disagreeable matter to conduct, and I took pains to open the case in a tone of studied moderation. I carefully explained to the jury that the prosecution was not a prosecution of opinion in any sense. I mentioned (and I beg their pardon for here repeating) the names of Mr. Newman, of Mr. Carlyle, and Miss Martineau, as persons who maintained what I and others might think erroneous opinions, but who maintained them gravely, with serious argument and with a sense of responsibility, and whom no one would dream of interfering with. I said that the time was long gone by for persecution, which I thought as foolish as it was wicked; but that as liberty of opinion was to be protected, so was society to be protected from outrage and indecency; that if persons went about using language which offended decency, and was extremely offensive to the feelings of the public, the law would still prevent such persons from abusing their liberty, and would treat them as criminals."

"In summing up the case to the jury, Sir John Coleridge explained the law to them substantially to the same effect as I had explained it, only of course with authority and with greater clearness. He pointed out to them carefully that Pooley was not to be found guilty merely because he differed in opinion with Christians on the subject of religion, nor at all unless they were satisfied that he uttered the words laid in the indictment by way of offence and insult, and for the purpose of outraging the feelings of the neighbourhood where he lived."

The jury instantly found him guilty, and Sir John Coleridge passed the sentence which has caused Mr. Buckle's attack. Mr. Coleridge acknowledges that the sentence is open to observation, and by many may be thought too severe, though he considers it perfectly justifiable. The points which he desires to establish, and for which his statement furnishes the clearest ground, are thus set forth:—

"1. That Sir John Coleridge neither did nor could know anything about the case till the depositions were laid before him in the ordinary way, just prior to the trial itself."

"2. That I neither did nor could know anything of it till my brief was delivered to me, like any other brief, after I arrived at Bodmin."

"3. That there neither was nor could be any concert or understanding, direct or indirect, between Sir John Coleridge and me, and those who instituted and conducted the prosecution."

"4. That it is familiar to all persons of ordinary education, that a judge in the position of Sir John Coleridge had, and could have, no choice whether he would try a particular prisoner or not, in what county he would try him, and what laws he would or would not put in force."

"5. That the blasphemies of which Pooley was convicted were of the most atrocious kind."

"6. That there was no notion entertained by either Sir John Coleridge or by me, or by those who instituted the prosecution, that Pooley was mad; and that of his antecedents (whether Mr. Buckle states them truly or not) neither judge nor counsel did or could know anything."

"7. That on the first intimation to Sir John Coleridge that there was real reason to believe the man might not be accountable, he instantly recommended him to be pardoned, and that he was pardoned upon that recommendation."

"I then simply proved the writing and the uttering of the words set forth in the indictment."

"But Mr. Buckle asserts that Pooley was mad; was therefore not accountable for his actions; was mad obviously and unmistakably; was mad to the knowledge of the judge, as he states—to my knowledge, as he insinuates."

"But whatever Mr. Buckle may intend, and whatever the fact may have been, I assert distinctly that neither I nor Sir John Coleridge had the least notion that he was mad when he was tried in the court at Bodmin."

## The Provinces.

**LEDBURY.**—*The late Murder.*—On Thursday the examination before the magistrates of John Isaac Jones, the clerk in the office of Mr. Masefield, solicitor, of this town, for the murder of Harriett Baker, was resumed. Great interest and anxiety is displayed throughout the whole of Herefordshire and the surrounding counties by persons of all classes to learn whether the officers of justice have succeeded in tracing home the diabolical deed to the person now in custody, or to any one else. As the inquiries of these officers progress they find no occasion to direct their investigations into any other channel than that in which they are now running. It is not true, as has been reported, that the two cheques that were taken with the money have been found near the prisoner's lodgings. Neither those cheques nor the two £5 Bank of England notes have yet been traced. Several witnesses were examined, but their evidence was strictly of a circumstantial nature. The examination was further adjourned.

**LEEDS.**—*Chamber of Commerce.*—At a meeting of this Chamber, on Friday, the 27th ult., Messrs. Baines and Beecroft, the two borough members, attended for the purpose of hearing the views of the Chamber on several important local and public questions, from which we select the following: J. Jowett, Esq., in the chair:—*Bankruptcy Amendment.*—The CHAIRMAN stated, that the discussions which had taken place on this subject had led to great unanimity of opinion amongst commercial men as to the leading features of bankruptcy reform. The main objects they had in view were—

1. Lessening the expenses of bankruptcy.
2. Expediting the process.
3. Insuring the punishment of proved fraud.
4. Facilitating voluntary settlements between debtors and creditors, where no fraud is proved or suspected.

Among the chief provisions on which they relied for effecting their objects were—

1. The abolition of the Insolvency Courts, and of the distinction between traders and non-traders.
2. Securing to the creditors a much more efficient control over the management of bankrupt estates than they now have, by the appointment of trade or creditors' assignees, who should, generally, have the power now exercised by the official assignees; taking due precautions to prevent the abuses which had crept in, under the old system, prior to the Act of 1838.
3. Throwing the expense of the Court, as well as the compensations for abolished officers, on the Consolidated Fund, as is now the case with the courts of justice and equity.
4. Simplifying the machinery of the Court, reducing the number of meetings to be held, and facilitating the proof of debts and the distribution of assets.
5. Providing a simple mode for the registration and enforcement of voluntary settlements.
6. Giving the Court the power to punish gross fraud by imprisonment, and the neglect of keeping books or taking stock, by suspension of certificate. And, lastly, by consolidating the whole of the statutes into one Act.

A Bill based on these principles was brought into the late Parliament by Lord John Russell, and another Bill was introduced by the Lord Chancellor. Those Bills were to have been referred to a select committee, and probably that course would be taken in the new Parliament. The composition of that committee was of great importance, and it was therefore necessary that their representatives should pay great attention to it. In answer to questions put by the two members, the Chairman replied, that the court was a court of judicature as well as of administration, and it was thought that the judges ought to be paid out of the Consolidated Fund, the same as other judges. The expenses of winding-up the estate would be paid out of the estate, and it was only the judicial expenses that they asked for out of the Consolidated Fund. The trade assignees would be paid by a per centage on the estates, and were to be chosen by the creditors.—Mr. BAINES said, that a doubt had suggested itself to his mind as to whether there should not be some check with respect to the expenses thrown upon the country, and this check, he thought, would be secured by the expenses of working the commission being borne by the estate.  
*Registration of Partnerships.*—Mr. BOUSFIELD said, that it was necessary that their commerce should, as far as possible, be made secure from roguery. At present the commercial honour of England stood higher than that of any other nation, and it was extremely desirable that they should maintain that position; but under the present system there was no ascertaining who were partners in a concern, the name of the firm being frequently retained after the admission of new partners, and even after the entire change of partners. This was not as it should be, and various attempts had been made to remedy the evil, but without success. He read a paper on the question at the meeting of the Association for Promoting Social Science, at Liverpool, when all the leading gentlemen present expressed

their concurrence in the propriety of registering the names of partners. The principle had long been in operation in America and on the continent with the most beneficial results, and there would, therefore, be no novelty in adopting it here. The Earl of Ripon, when Lord Goderich, introduced a Bill into the House of Commons, which, however, was afterwards withdrawn, on the Under-Secretary of State promising to grant a committee.—Mr. BEECROFT said, that Lord Goderich's Bill was very much opposed, and he did not think anything could be done without a committee.—Several gentlemen having addressed the meeting, the CHAIRMAN suggested that one of their members should remind the Home Secretary about the appointment of a committee. *West Riding Assizes.*—Mr. OXLEY said, it was most important that justice should be brought as close as possible to the doors of the people, and they were aware that the inhabitants of Leeds felt a great interest in this question. In addition to the arguments which had been previously urged, there was the fact that the West Riding Conservative Association had decided to remove its head-quarters to Leeds, because of the greater facilities which Leeds presented for communicating by railway and telegraph with the various parts of the riding. If the assizes were to be removed, he thought Leeds had the highest claim to them of any town in the riding. No population in England could excel that of Leeds for quietness and good order.—Mr. JOHN WILSON said, they would never get the assizes removed until they had a first-class hotel. The CHAIRMAN said, they were prepared to get that.—After some remarks from Mr. BEECROFT on the subject, Mr. BAINES said, he should be most happy to assist Mr. Beecroft in obtaining the assizes. He had no doubt that Leeds ought to have the assizes. *Government Offices.*—The CHAIRMAN, after directing attention to the inconvenience arising from the Government Offices in Leeds being at some distance from each other, and the necessity of their being united, said, that the corporation had offered the Court-house on very reasonable terms. It had been examined, and an intimation had been given that, if a site sufficiently large could be secured at a reasonable price, the Government were prepared to entertain the question. The Chamber had taken the necessary steps, and were now nearly prepared to forward the result of their inquiries to the proper quarter.—Mr. BEECROFT and Mr. BAINES thanked the Chamber for the information they had given them, and assured them that it should have their best attention.

*SWANSEA.*—*Appointment of Stipendiary Magistrate.*—On the 4th of March last, the Town Council passed a resolution in favour of the appointment of a stipendiary magistrate. The salary was fixed at £600 per annum. At a meeting of the Town Council on April 29, it was unanimously resolved to recommend for the appointment Daniel Thomas Evans, Esq., a barrister of the South Wales Circuit. The mayor, T. Jenkin, Esq., had previously informed the Council that he had had an interview with Mr. Sotheron Estcourt, who informed him that, "while the Government did not feel disposed to relinquish their right to appoint a person to fill the office, any recommendation made by the Town Council would be considered, and would no doubt be acted on." Nothing more was heard of the appointment till Friday last, when, at a meeting of the Town Council, the mayor read the following letter, which he had received from the Home Secretary:—

Home Office, May 24, 1859.

Sir,—Mr. Sotheron Estcourt desires me to inform you that, having given a further consideration to the recommendation of a gentleman to fill the office of stipendiary magistrate at Swansea, which you laid before him on the part of the Town Council, at the same time with the vote of the same body, to appropriate the sum of £600 a year as an annual salary of such an officer, he thinks it would make an inconvenient precedent if he were to adopt the recommendation thus made to him, and might lead, in other similar instances, to an opinion that the creation and payment of such an office by the Town Council might entitle them to the patronage of it. Mr. Estcourt will, therefore, proceed to select, out of a numerous list of names proposed to him, the individual who, on general grounds, appears to him most likely to perform the duties of the office in a satisfactory manner.

I have the honour to be your obedient servant, (Signed) S. WALFORD.  
The Mayor of Swansea.

His Worship, on reading the letter, said, the result was one which the Town Council could never have anticipated. The recommendation of Liverpool and Cardiff, and other towns, had been taken into consideration by previous governments, and he did not see why the recommendation of Swansea should not be considered by the present, and he should consider it to be his duty to do the best he could to give effect to the unanimously expressed recommendation of the Council. After some further remarks had been made by members, Mr. Michael (ex-mayor) gave notice that, at the next meeting, he should move a resolution rescinding the former resolution of the Council as to the appointment of a stipendiary magistrate.

## Ireland.

### APPOINTMENTS AND PROMOTIONS.

The promotion of Mr. Smyly to the easy berth of solicitor to the Excise, with an annual salary of £1,600, has vacated two minor appointments, both held for some years past by Mr. Smyly—the Crown prosectorship for the city of Dublin, and the post of counsel to the Excise department. These have been filled up as follows:—

Mr. John E. Walsh, Q.C., one of the most rising members of the common law bar, has been appointed prosecutor for the city.

Mr. Francis M'Donogh, Q.C., for many years one of the leaders at Nisi Prius, has been appointed counsel to the Excise. Mr. M'Donogh, in 1857, contested the borough of Carrickfergus on liberal principles; but within the last two months he has seen fit to change sides, and become a supporter of the present Government.

It was stated yesterday that the Hon. P. Plunket, whose resignation of a bankruptcy judgeship on account of ill-health had been anticipated, has returned from the West of Ireland, in a much improved state of health, and would be able to resume his seat forthwith.

The chairmanship for the county of Clare, vacant through the death of Mr. W. Major, will be filled up, by the transfer of Mr. O'Shaughnessy from the county of Mayo. Sir C. O. Loghlen, Bart., now chairman for Carlow, will be promoted to the more valuable county of Mayo; and the vacancy thus created in Carlow will be filled by the appointment of Mr. T. R. Henn, Q.C.

### THE SOLICITORSHIP TO THE EXCISE.

The appointment of Mr. J. G. Smyly, Q.C., to the solicitorship of the Excise, vacant through the resignation of Mr. M. A. Saurin, has given very general dissatisfaction to the solicitors generally, who think, with good reason, that an appointment of that kind ought to have been conferred on one of their body. In former times, as it appears, solicitors were always appointed; but Mr. Attorney-General Saurin managed, some thirty years since, to have an Act of Parliament passed, which enabled him to procure the place for a son of his, the late solicitor to the Excise, who was a member of the bar; so, as to the strict legality of the recent nomination of Mr. Smyly, Q.C., there can be no doubt.

The following observations on this important subject recently appeared in *Freeman's Journal*:—

"There are very few offices open to the practising solicitor, while the whole energy of politicians seems to have been directed to creating places for barristers. There are, however, a few offices which, from their duties, require that a solicitor should be the occupant. The very name of the one we select shows that it was intended for an attorney, and yet such is the greed of the other branch of the profession, that the Solicitorship to the Excise has been given to a barrister. This is monstrous in principle, and in practice an insult to a large and highly intellectual body of professional gentlemen, who see in this appointment evidence of a determination to deprive the profession of solicitor of every legitimate advantage, to lower its dignity, and rob its members of their just and legal rights. What would the barristers say if a solicitor were made chairman of a county or going judge of assizes, or a doctor made attorney-general? yet it is just as monstrous a violation of all right to wrest from the solicitors as a profession this office of 'solicitor to the revenue,' and give it to an expectant barrister, who, either personally or by some friend, had established a claim upon the Government of the day. We wish some able man would take up this question in the House of Commons, and vindicate an honourable profession from the outrage offered in this corrupt and unjust distribution of patronage."

"We are gratified to learn that the solicitors of Ireland are about to protest against this outrage committed on the profession. There is no body of men to whom the public owe more—who have more of the social happiness of families in their power—and who use their position with more discretion and fidelity to their clients—than the Irish solicitors; and if they make a movement to right their profession in this matter, they will receive the sympathy and support of all classes in the community."

Pursuant to a requisition, bearing the signatures of 100 solicitors, a meeting of the profession is convened for Friday next, to be held in the building occupied by the Law Society. On this occasion the subject will be discussed, and although it is too late to interfere with the now appointment, some resolu-



tions will probably be proposed, pledging the profession to support their claims and urge their on the Government, with a view to a more proper exercise of similar patronage in future.

**BARON MARTIN.**—This eminent English judge has been visiting his Irish estates in this neighbourhood. The schools which he has been so energetic in establishing were closely inspected by his Lordship, who expressed himself much pleased with their efficiency.—*Derry Journal.*

### Societies and Institutions.

#### LAW AMENDMENT SOCIETY.

The next general meeting of this society will be held on Monday next, at eight o'clock, when the adjourned discussion on the resolutions of the Bankruptcy Law Committee, on the Lord Chancellor's Debtor and Creditor Bill, and Lord John Russell's Bankruptcy and Insolvency Bill, will be resumed.

#### JURIDICAL SOCIETY.

The next meeting of this society will be held on Monday, the 6th inst., at eight o'clock, when the adjourned discussion on "Trial by Jury" will be resumed, and the report on the laws of the society, directed by the anniversary meeting, will be presented and considered.

### Law Students' Journal.

#### Trinity Term, 1859.

**PUBLIC EXAMINATION OF THE STUDENTS OF THE INNS OF COURT, HELD AT LINCOLN'S-INN HALL, ON THE 23RD, 24TH, & 25TH DAYS OF MAY, 1859.**

The Council of Legal Education have awarded to

James Anstie, Esq., Student of Lincoln's-inn, A Studentship of Fifty Guineas per Annum, to continue for a period of Three Years.

Joseph George Long Innes, Esq., Student of Lincoln's-inn,

Lewis William Cave, Esq., Student of the Inner Temple, and

Thomas Edward West, Esq., Student of the Inner Temple,

Lionel Uniacke Steele, Esq., Student of Gray's-inn,

George Lea, Esq., Student of the Inner Temple,

William Neish, Esq., Student of Lincoln's-inn,

William Bradford, Esq., Student of the Middle Temple,

Michael Richard Barry, Esq., Student of Lincoln's-inn,

Henry Stewart Cunningham, Esq., Student of the Inner Temple,

Robert Greenoak, Esq., Student of the Middle Temple,

William Flood Yates, Esq., Student of the Inner Temple,

James Lowe, Esq., Student of the Middle Temple,

Thomas Nottidge, Esq., Student of Lincoln's-inn,

Joshua Strange Williams, Esq., Student of Lincoln's-inn, and

De Castro F. Lyne, Esq., Student of the Middle Temple,

By order of the Council,

(Signed)

RICHARD BETHELL, Chairman.

Council Chamber, Lincoln's-inn, 1st June, 1859.

Certificates of Honour of the First Class.

Certificates that they have satisfactorily passed a Public Examination.

### Admission of Attorneys.

#### Queen's Bench.

#### TRINITY TERM, 1859, PURSUANT TO JUDGES' ORDERS.

##### Clerk's Name and Residence.

Argyle, Thomas, Tamworth; and Warwick.....  
Burton, George, Huntingdon; and Tadcaster.....  
Jones, Griffith Thos. Pictou, 16, Featherstone-buildings; York-house, near Pwllheli; and Stanhope-place, Mornington-crescent.....  
Jones, John Vipan, 10, Highbury-grove.....  
Whitford, Richard, 4, Henrietta-street, Brunswick-sq.; and Albert-st., Regent's-park.....

##### To whom Articled, Assigned, &c.

F. Wellington, Tamworth.  
T. L. Bickers, Tadcaster.  
G. Jones, York-house; T. Johnson, Midhurst; H. Roberts, Pwllheli.  
A. Weir, Basinghall-street.  
H. Whitford, St. Columb; E. L. Rowcliffe, Bedford-row.

#### THE LAST DAY OF TRINITY TERM, 1859.

Barker, John Edward, 10, Bolton-street, Piccadilly; and Aylesbury.....  
Berridge, Isaac, 30, Frederick-street, Gray's-inn-road; and Oxford.....  
Capel, Arthur Henry, Harwich; Chapel-street, Bedford-row; Acton-street, Clerkenwell; and Grove-place, Brompton.....  
Cinch, James, Leamington Priors; and Harpur-street, Red Lion-square.....  
Eliot, William Kyd, 41, Great Ormond-street, Queen's-square; and Chippenhams.....  
Ford, Wharton, 8, Lincoln's-inn-fields.....  
Hawesford, Francis, B.A., Wolverhampton; and Winchester-street, Fimble.....  
Heard, Geo. Gustavus Gilbert, 18, Devonshire-terrace, Hyde-park.....  
Holtham, Herbert William, Albert-ter., Victoria-rd.; and Midway-pk., Stoke Newington.....  
Lutton, Robert, Tavistock.....  
Martin, George, Bradford, Wilts.....  
Mills, William Primrose, 4, Lloyd-sq.....  
Neale, Thomas, Wootton Rivers; and Holywell-street, Westminster.....  
Pasman, Henry Consett, Stafford.....  
Peck, Kenrick, Taunton; and Albany-street, Regent's-park.....  
Perrery, Benjamin, 108, Camden-road-villas, Camden-town; and 86, Pentonville-road.....  
Riddale, Francis James, jun., Clapham.....  
Rowland, Frederick Browne, 29, 61, Grafton-street, Russell-square; and Roke, near Coulston.....  
Smith, Henry, Kidderminster; and Victoria-road South, Kentish-town.....  
Stone, Thomas, Tarlton, near Cirencester; and Percy-circus, Pentonville.....  
Trotter, John, 42, Great Ormond-street; and Bishop Auckland.....  
Turner, Alderson, 9, Richmond-terrace, Canonbury.....  
Webb, John, Kenilworth; Drummond-street; and South-square, Gray's-inn.....

R. Rose and J. Parrott, Aylesbury.  
G. P. Hester, Oxford.

H. A. Palmer, Bristol.  
C. E. Large, Leamington Priors.  
C. P. Wood, Raymond-bldgs.; T. A. Fellowes, Chippenhams.  
M. Ford, Lincoln's-inn-fields.  
J. Hawksford, Wolverhampton.  
J. J. Millard, Cannon-street West.  
J. A. Freeman, Brighton.  
S. E. S. Carpenter, Tavistock.  
J. Bush, Bradford, Wilts.  
E. Freestone, Norwich; H. Parker, jun., Bedford-row.  
C. J. Barnes, Lamborne.  
C. R. Pasmann, Stafford.  
G. B. Hume, Great James-street; W. Giles, Taunton.  
H. Seaman, 54, Coleman-st.; F. Moon, 19, Coleman-st.  
F. J. Riddale, Gray's-inn.  
W. Rowland, Ramsgate; H. Richards, Croydon.  
G. A. Bird, Kidderminster.  
R. Mullings, Cirencester.  
W. Trotter, Bishop Auckland.  
J. P. Fearon, Great George-street.  
A. Simcox, Birmingham; W. Flux, Ironmonger-lane;  
W. S. Poole, Kenilworth.  
W. C. Newby, Stockton-upon-Tees.

#### RE-ADMISSIONS.—LAST DAY OF TRINITY TERM, 1859.

Rae, Joseph John, 29, Stoke Newington-green.

Wheeler, James, Wandsworth.

#### TAKING OUT AND RENEWAL OF ATTORNEYS' CERTIFICATES.—LAST DAY OF TRINITY TERM, 1859.

Leith, James, Walmer, near Deal.

JUNE 17TH, 1859.

Arnold, Augustus Alfred, Hollands, Yeovil, Somerset; Framfield, Sussex;  
and Northumberland-street, Westminster.  
Banks, John Lewis, Market Drayton.  
Bowles, Charles John, Ludlow.  
Campbell, James, Oldham.  
Dickinson, Edmund Alfred, 47, Ashford-street, Hoxton.  
Elton, John William, 6, Rue de Wimpole, Boulogne-sur-Mer.  
Gill, Frank Selby, 8, Duke-street, Westminster.  
Grange, Richard, 49, Paddington-street, Marylebone.

Massey, Henry Eyre, 11, Fitzroy-place, New-road; and Oxford.  
Orton, Samuel Allinson, Witheridge, Devon.  
Overton, William, 45, Eastbourne-terrace, Paddington; Folkestone; Paris;  
and Boulogne.  
Sladden, William, Canterbury; and Toronto, Upper Canada.  
Smith, John Ashmore, Hincley (Judges' Order).  
Swaine, Walter Thomas, 2, Ridgmont-place, Hampstead-road.  
Weddington, Walter Oakley, Alburgh Priory, near Liverpool; and Birmingham.

## Court Papers.

## Queen's Bench.

## NEW CASES.—TRINITY TERM, 1859.

## SPECIAL PAPER.

Sp. Case.	Robinson v. Nisbet.
Dem.	Drake v. The Amicable Society for a Perpetual Assurance Office.
Sp. Case.	Mallam and Others v. The Guardians of the Poor within the City of Oxford.
"	Edwards and Others v. Glyn and Others.
Dem.	Anderson v. Haacke.

## CROWN PAPER.

## NEW CASES.—TRINITY TERM, 1859.

Middlesex.	The Queen on the Prosecution of the Vestry of Paddington, Respondent. The Grand Junction Canal Company, Appellants.
"	The Queen, on the Prosecution of the Clerk of the Peace for Middlesex, Respondent. The Inhabitants of Hammersmith, Appellants.
Lancashire.	The Queen, on the Prosecution of the Lancaster Local Board of Health, Respondent. James Cieminson, Appellant.

Wednesday, 8th of June.

Durham.	The Queen v. The Inhabitants of Elvet.
Kent.	The Queen v. The Metropolitan Board of Works.
Middlesex.	The Queen v. John Storror.

## Exchequer of Pleas.

## NEW CASES.—TRINITY TERM, 1859.

## SPECIAL PAPER.

Dem.	Nichols v. Watson and Another.
"	Pooley v. Shield.
Sp. Ca. by Order of Nisi Prius.	Brooks v. Hodgkinson and Another.
Dem.	Mytton v. The Midland Railway Company.
"	Smith v. Symonds and Another, Executors, &c.
"	Horton v. Sayer, Executor, &c.

## Exchequer Chamber.

## SITTINGS IN ERROR.

The following days have been appointed for the argument of Errors and Appeals:—

Friday .....	June 17	Monday .....	June 20
Saturday .....	" 18		

## COMMON PLEAS.

Tuesday .....

## EXCHEQUER OF PLEAS.

Wednesday .....	June 22	Thursday .....	June 23
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## Summer Circuits of the Judges, 1859.

Lord CAMPBELL will remain in Town as the Vacation Judge.

## North Wales.

COCKBURN, L. C. J.

## Norfolk.

BARON, L. C., and WIGHTMAN, J.

## Midland.

ELLE, J., and WILLIAMS, J.

## Home.

MARTIN, B., and CROWDER, J.

## Western.

CROMPTON, J., and BRANWELL, B.

## Oxford.

WILLES, J., and BYLES, J.

## Northern.

WATSON, B., and HILL, J.

## South Wales.

CRANNELL, B.

SOMERSETSHIRE SOCIETY.—At the anniversary meeting of this institution, held at the Albion-tavern, Aldersgate-street, on the 31st ult., under the presidency of Mr. A. Mills, M.P., supported by the Hon. P. P. Bouverie, M.P., Sir Henry Hoare, Bart., Mr. C. A. Moody, M.P., Mr. Knatchbull, M.P., Mr. W. Moody, Mr. Henry Goodford, Mr. John Simpson, &c. &c., Mr. T. F. Chorley, solicitor, was unanimously appointed honorary secretary and committeeman, in the place of Mr. Byard Sheppard, who has retired. The society was established in the year 1811, for the benevolent purpose of apprenticing children of poor Somersetshire parents residing in London, and has proved of great value as a public charity. The Earl of Cork was nominated president for the ensuing year.

## Births, Marriages, and Deaths.

## BIRTHS.

GREENFIELD—On May 23, at 2 Porchester-terrace North, the wife of W. B. Greenfield, Esq., of a son.  
KIRKPATRICK—On May 26, at Horton-park, near Hythe, the wife of John Kirkpatrick, Esq., of a daughter.  
LAWRENCE—On May 28, at Wimbledon, Mrs. Philip Henry Lawrence, of a son.  
LEVERSON—On May 26, the wife of Montague R. Leverson, Esq., of 14 Marlborough-road, St. John's-wood, of a daughter.  
PERCIVAL—On May 29, at Kingston-on-Thames, the wife of S. Percival, Esq., of a son.  
POLE—On May 23, at 6 Gloucester-terrace, Hyde-park-gardens, the wife of William E. Pole, Esq., of a daughter.  
ROBINSON—On May 29, at 17 Orchard-street, Portman-square, the wife of A. M. Robinson, Esq., of a daughter.  
WAUGH—On May 30, at Cuckfield, Sussex, Mrs. Edward Waugh, of a daughter.

## MARRIAGES.

BYRNE—WEBB—On May 31, at the parish church of Doddington, Herefordshire, by the Rev. the Lord Saye and Sele and the Rev. J. E. Kempe, rector of St. James's, Piccadilly, the Rev. John Rice Byrne, third son of the late Henry Byrne, Esq., Master in Equity of the Supreme Court of Chancery at Madras, to Ellen Gertrude, youngest daughter of Richard Webb, Esq., of Doddington-hall.  
HAMMOND—HILL—On May 31, at Exton, by the Rev. Anthony Smith, Mr. James Hammond, of Barnsdale-lodge, Oakham, to Emma Augusta, eldest daughter of F. C. Hill, Esq., Solicitor, late of 83 Chancery-lane, London.  
HEELEY—WEBSTER—On May 26, at Newton, near Manchester, by the Rev. William Hutchinson, rector, John Theophilus Heeley, Esq., of Whittiesea, Cambridgeshire, Surgeon, to Helen, eldest daughter of John Webster, Esq., Solicitor, of Manchester.  
HODGSON—WINDRAM—On May 26, at St. John's church, Leicester, by the Rev. W. Barber, Richard H. Hodgson, Esq., Solicitor, Kelghley, Yorkshire, to Mary Harrold, youngest daughter of Mr. James Windram, of Bishop's-street, Leicester.  
KENNEDY—HAYES—On May 24, at St. George's church, Dublin, William Kennedy, Esq., M.R.C.S.L., of 5, Richmond-street, Mountjoy-square, Dublin, to Grace Marian Hayes, eldest daughter of the Hon. Mr. Justice Hayes, of 25, Mountjoy-square, Dublin.  
KNIGHT—HOLT; HOLT—HALL—On June 1, at St. Nicholas, Great Yarmouth, Joseph Knight, Esq., Newcastle, Staffordshire, to Mary Ferrier, eldest daughter of George Wells Holt, Esq., Great Yarmouth; and at the same time and place, William Holt, Esq., Great Yarmouth, to Catherine, youngest daughter of John Hall, Esq., of Tamworth, Staffordshire.  
LONSDALE—LEMAITRE—On May 26, at St. Paul's, Hammersmith, by the Rev. William Lonsdale, D.D., uncle to the bridegroom, Richard Maitland Lonsdale, Esq., of Edinburgh, eldest son of the late Richard Lonsdale, Esq., Solicitor, of Hammersmith, to Paulina Charitina, daughter of Paul Thomas Lemaître, Esq., of the same place.  
SANGSTER—CRAWFORD—On April 16, at Byculla church, Bombay, by the Rev. J. Leigh Lye, Alexander Sangster, Esq., of Bombay, to Katherine Isabella, third daughter of William Crawford, Barrister-at-law, Chief Magistrate and Commissioner of Police, Bombay.  
SLATTERY—READ—On May 23, at St. Matthew's church, Camp Field, Manchester, by the Rev. T. R. R. Slattery, rector, Henry Eveleigh, second son of the late Rev. T. R. J. Slattery, of Chelsea, London, to Mrs. Eliza Read, fifth daughter of the late William Cresswell, Esq., Solicitor, Manchester.

## DEATHS.

BOINTON—On May 26, at Pickering, aged 74, Thomas Bointon, Esq., Solicitor, for upwards of twenty years Clerk to the Magistrates for the Division of Pickering Lythe (West), and High Constable for the same Division.  
CARSON—On May 27, William Myers, only son of Thomas Carson, Esq., Solicitor, Liverpool, aged 14 years.  
CLAPHAM—On May 24, at Stackhouse, Settle, aged 73, Thomas Clapham, Esq., Magistrate and Deputy-Lieutenant for the West Riding of Yorkshire.  
GOUGH—At Marden, near Hereford, Jonathan Elliott Gough, Esq., Treasurer of the County Courts, &c., aged 67.  
GRANT—On May 29, at his Chambers, in Gray's-Inn, Robert Grant, Esq., in the 86th year of his age.  
HELM—On May 8, at Great Torrington, Devon, Fanny Eleanora William, the wife of John Blackwell Helm, of Derby, Solicitor, aged 26.  
FASHLEY—On May 29, at his residence in Manchester-square, Robert Fashley, Esq., Q.C., Assistant-Judge of the Middlesex Sessions, aged 84.  
TREVOR—On May 27, at Bridgwater, aged 23, Henry, eldest son of John Trevor, Solicitor.

## Unclaimed Stock in the Bank of England.

The Amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

BRYAN, JANE, Widow, Welchpool, Montgomeryshire, DAVID PUGH, Gent., same place, and JOHN PUGH, Gent., Audit-office, Somerset-house, One Dividend on £2,392 : 7 : 5  $\frac{3}{4}$  Reduced.—Claimed by JOSEPH PUGH, sole executor of John Pugh, deceased, who was the survivor.  
CHAYASSE, THOMAS, Surgeon, Birmingham, One Dividend on £1,552 : 18 : 6  $\frac{3}{4}$  per Cents.—Claimed by THOMAS CHAYASSE.  
CLARK, BRACY, Gent., Taunton-place, Regent's-park, £40 Consols.—Claimed by BRACY CLARK.  
DANIEL, LEOPOLD, HARVEY, Esq., Fort View-house, Wexford, One Dividend on £3,563 : 7 : 11 Reduced 3 per Cents.—Claimed by LEOPOLD HARVEY DANIEL.  
GRIFFITHS, THOMAS, Gent., Cheltenham, and ROBERT WILTON, Gent., Gloucester, £40 : 16 : 3 Consols.—Claimed by ROBERT WILTON, the survivor.  
LLANDAFF, BISHOP, ARCHDEACON, and CHAPTER of, Four Dividends on £305 : 7 : 0 Reduced  $\frac{3}{4}$  per Cents.—Claimed by CHAPTER of LLANDAFF.  
TOMS, SARAH, Spinster, Tiverton, Devon, One Dividend on £1,702 : 12 : 6  $\frac{3}{4}$  per Cents.—Claimed by JOHN ANSTET TOMS, the sole executor.

## English Funds.

ENGLISH FUNDS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Bank Stock .....	220 3	220 2	222	221 2	221 1	221 1
3 per Cent. Red. Ann. ..	91 1	91 1	91 2	92 1	92 1	92 1
3 per Cent. Cons. Ann. ..	92 1	92 1	92 2	93 1	93 1	93 1
New 3 per Cent. Ann. ..	91 1	91 2	92 3	92 1	92 1	92 1
New 2 1/2 per Cent. Ann. ..	..	..	..	77 1	78 1	..
5 per Cent. Ann. ..	..	..	..	..	..	..
Long Ann. (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Apr. 5, 1860) .....	..	..	..	..	..	..
India Stock .....	17 1	17 1	..	..	17 1	..
India Loan Debentures ..	94	94 3	94 1	94 1	94 1	..
India Loan Scrip. ....	93 1	93 1	93 1	93 1	93 1	93 1
India Bonds (£1,000) ..	58 d	108 6d	..	108 6d	..	..
Do. (under £1000) ..	88 d	128 d	7 6d	..	68 d	58 8d
Consols for account ..	92 1	92 3	93 1	93 1	93 1	93 1
Exch. Bills (£1000) Mar. ..	218 p	22 180 p	30 218p	178 218p	218 178p	218 178p
June .....	..	..	..	..	..	..
Exch. Bills (£500) Mar. ..	228 p	228 p	..	218 p	178 p	218 178p
June .....	..	..	..	..	..	..
Exch. Bills (Small) Mar. ..	228 p	228 p	..	..	..	218 178p
June .....	..	..	..	..	..	..
Do. (Advertised) Mar. ..	..	..	..	..	..	162 18p
June .....	..	..	..	..	..	..
Exch. Bonds .....	..	..	..	..	..	..
Exch. Bonds, 1858, 3/4 per Cent. ....	..	..	..	..	..	..
June .....	..	..	..	..	..	..
Do. (under £1,000) ..	..	..	..	..	..	..

## Railway Stock.

RAILWAYS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Birk. Lan. & Ch. Junc. ..	..	..	88 1	89 1	..	90 89 1
Bristol and Exeter ....	..	..	88 1	89 1	..	90 89 1
Caledonian .....	76	77 6 1/2	77 8	79 1	78 7	79 1
Chester and Holyhead ..	..	..	..	..	..	..
East Anglian .....	..	13 1	14 1	..	14 1	14 1
Eastern Counties .....	53 1/2	53 1/2	54 1	55 1/2	55 1/2	55 1/2
Eastern Union A. Stock ..	..	..	..	..	..	..
Ditto B. Stock .....	..	..	..	..	..	..
East Lancashire .....	84	..	..	..	..	..
Edinburgh and Glasgow ..	..	..	..	..	..	..
Edin. Perth, and Dundee ..	..	24 1/2	..	26	..	26
Glasgow & South-Westin. ..	..	..	..	..	..	..
Great Northern .....	99	100 1/2	99 1/2	99 1/2	99	100
Ditto A. Stock .....	..	..	..	..	..	..
Ditto B. Stock .....	131	..	130	..	131	130 1/2
Gr. South & West. (Ire.) ..	..	180 1/2	104	105 1/2	184 1/2	104 1/2
Great Western .....	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2
Do. Stour Vly. G. Stk. ..	..	..	..	..	..	..
Lancashire & Yorkshire ..	85 1/2	87 1/2	87 1/2	89 1/2	87 1/2	89 1/2
Lon. Brighton & S. Coast ..	..	110	..	110	110	119
London & North-Westm. ..	88 1/2	88 1/2	89 1/2	90 1/2	90 1/2	90 1/2
London & South-Westm. ..	87 1/2	88 1/2	88 1/2	89 1/2	89 1/2	89 1/2
Man. Sheff. & Lincoln. ....	..	34 1/2	35	36	35 1/2	36 1/2
Midland .....	98 1/2	96 1/2	97 1/2	98 1/2	98 1/2	98 1/2
Ditto Birm. & Derby ..	73	..	..	..	..	..
Ditto N. York .....	..	..	..	..	..	..
North British .....	84	84 1/2	84 1/2	85 1/2	..	85 1/2
North-Eastern (Brewk.) ..	85 1/2	..	86 1/2	87 1/2	87 1/2	87 1/2
Ditto Leeds .....	..	44 3/4	44	45	45	45
Ditto York .....	69 1/2	70 1/2	71 1/2	72 1/2	71 1/2	72 1/2
North London .....	..	..	..	..	..	..
Oxford, Wore. & Wolver. ..	..	..	..	..	..	..
Scottish Central .....	..	107	..	..	..	..
Scot. N.E. Aberdeen Stk. ..	..	..	..	..	..	..
Do. Scotch Mid. Stk. ....	..	..	..	..	..	..
Shropshire Union .....	..	..	..	..	..	..
South Devon .....	..	..	..	..	..	..
South-Eastern .....	..	63 1/2	64 1/2	65 1/2	64 1/2	65 1/2
South Wales .....	..	60	60	61	60	61
Vale of Neath .....	..	..	..	64 3	..	60

## Estate Exchange Report.

(For the week ending May 31st, 1859.)

AT THE MARY.—By Messrs. NORTON, HOGGART &amp; TRIST.

Freehold, Pot Ash Farm, Berden, Essex, 289A. 2a. 35r., with farm buildings, &c.—Sold for £8,500.

Freehold, Stocking Pelham Hall Farm, Herts, 394A. 1a. 37r., with farm house, agricultural buildings, &c., let on lease at £300 per annum.—Sold for £10,000.

The Freehold Manor of Stocking Pelham Hall, average annual value, £28 : 19 : 6.—Sold for £335.

The Advowson and Right of Presentation to the Rectory of Stocking Pelham, with rectory-house & glebe, containing 34A. 0a. 23r., annual value, £202.—Sold for £220.

Freehold Dwelling House, Warehouses, Stabling, &c., Little Bridge-street. Sold for £3,500.

Freehold Ground Rent of £20 per annum, arising from Nos. 7 to 12, Evangelist-court, Little Bridge-street, with reversion in 1877.—Sold for £200.

Freehold House and Shop, No. 4, Union-street, New Bridge-street, a dwelling-house and premises in the rear, extensive stabling, yard, warehouse, &c.; a small Cottage; three Houses, Nos. 1, 2, & 3, Meeting-house-court; and two houses, Nos. 13 & 14, Evangelist-court.—Sold for £3,500.

Freehold Plot of Building-ground, corner of Union-street and Water-lane.—Sold for £770.

Freehold House and Shop, No. 6, Water-lane.—Sold for £370.

Freehold Shop and Premises, No. 5, Water-lane.—Sold for £400.

Freehold Baker's Shop and Premises, No. 4, Water-lane.—Sold for £730.

Freehold Building Land, three plots, each containing 2a. 25r., Selhurst-road, Beulah Spa.—Sold at £280, £240, & £210 respectively.

Freehold Plot of Building Land, Selhurst-road, 2a. 25r.—Sold for £205.

" " " " 2a. 25r.—Sold for £210.

" " " " 2a. 25r.—Sold for £230.

" " " " 2a. 25r.—Sold for £245.

By Mr. MASOK.

Leasehold Dwelling-house, No. 19, Sekford-st., St. John's-street-road; let at £40 per annum; term, 75 years from December, 1838; ground-rent, £4 : 4 : 0.—Sold for £440.

Leasehold Dwelling-house, No. 15, Woodbridge-street, St. John's-street-road; term, 75 years from Christmas, 1838; ground-rent, £6 per annum.—Sold for £405.

Leasehold House, No. 16, Woodbridge-street; term, 75 years from Michaelmas, 1838; ground-rent, £3 : 15 : 0.—Sold for £435.

Leasehold, No. 17, Woodbridge-street; term, 75 years from June, 1838; ground-rent, £4 : 10 : 0 per annum.—Sold for £415.

Leasehold Residence, Shore-road, Hackney; term, 90 years from Lady-day, 1851; ground-rent, £12 per annum.—Sold for £260.

Leasehold Business Premises, Nos. 33 & 34, Pruit-street, Camden-town; term, 70 years from June, 1818.—Sold for £250.

By Messrs. J. &amp; J. NASS.

Freehold Farm, "Greenfields," Horley, Surrey, containing 30A. 3a. 15r. arable and meadow land, with messuage in two tenements, &c.—Sold for £1,500.

Freehold, twelve acres of Building Land, Leabourn Lands, Reigate.—Sold for £3,375.

By Messrs. FORTER.

Leasehold Dwelling House and Shop, No. 147, Tottenham-court-road; let on lease at £340 per annum; term, 99 years from Michaelmas, 1789; ground-rent, £7 : 7 : 0 per annum.—Sold for £3,575.

Leasehold House and Shop, No. 148, Tottenham-court-road; let on lease at £170 per annum; same term and ground-rent as No. 147.—Sold for £1,850.

Leasehold House and Chandler's Shop, No. 14, Tottenham-place; let at £47 per annum; held for 99 years from Michaelmas, 1789; ground-rent, £1 per annum.—Sold for £400.

Leasehold House and Shop, No. 25, Tottenham-place; let at £40 per annum; term, 99 years (less 10 days) from Michaelmas, 1789; ground-rent, £5 : 0 : 0 per annum.—Sold for £250.

Leasehold Dwelling-house, No. 36, Tottenham-place; same term, &c.—Sold for £280.

Leasehold Dwelling-house, No. 27, Tottenham-place; same term, &c.—Sold for £255.

Leasehold Dwelling-house, No. 28, Tottenham-place; same term, &c.—Sold for £220.

Leasehold Improved Ground-rents, £25 : 4 : 0 per annum, arising from Nos. 4, 5, 6, and 9, Tottenham-place; term, 99 years from Michaelmas, 1789.—Sold for £320.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 7, Tottenham-place; same term as preceding.—Sold for £35.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 8, Tottenham-place; same term.—Sold for £35.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 10, Tottenham-place.—Sold for £35.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 11, Tottenham-place; same term.—Sold for £30.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 12, Tottenham-place; same term.—Sold for £3.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from No. 13, Tottenham-place; same term.—Sold for £35.

Leasehold Improved Ground-rent, £6 : 6 : 0 per annum, arising from premises in Beaumont-place; same term.—Sold for £30.

Leasehold Improved Ground-rent, arising from house in Warren-street, and house in Keppel-row, Euston-road, £6 : 3 : 0 per annum; term, 99 years from Michaelmas, 1775.—Sold for £65.

Leasehold Improved Ground-rent, £4 : 4 : 0 per annum, arising from premises in Warren-street and Keppel-row; same term as preceding.—Sold for £42.

Leasehold Residence, No. 257, Euston-road; let on lease at £58 per annum; term, 99 years from Michaelmas, 1789; ground-rent, £7 : 7 : 0.—Sold for £465.

Leasehold Dwelling-house, No. 8, Beaumont-street, Marylebone; let on lease at £65 per annum; term, 99 years from Michaelmas, 1790; ground-rent, 1a.—Sold for £490.

Copyhold Cottage, corner of Sudbury-court-road, Sudbury, near Harrow; let at £15 per annum.—Sold for £170.

Freehold House, No. 5, Pitt's-place, Parson's-green, Fulham; let at £30 per annum.—Sold for £340.

Leasehold House, No. 63, Drummond-street, Euston-square; let at £40 per annum; term, 61 years (less 30 days) from Michaelmas last; ground-rent, £3 per annum.—Sold for £330.

Leasehold Residence, No. 1, Webb's County Terrace, New Kent-road; let at 30 guineas per annum; term, 64 years from 25th March, 1805; ground-rent, £3 per annum.—Sold for £220.

Leasehold Residence, No. 22, Webb's County Terrace; let at 30 guineas per annum; term, 64 years from 25th March, 1811; free of ground-rent.—Sold for £140.

Leasehold Residence, No. 23, Webb's County Terrace; let at £40 per annum; same term, &c.—Sold for £190.

Leasehold Residence, No. 25, Webb's County Terrace; let at £35 per annum; same term, &c.—Sold for £160.

Leasehold Residence, No. 26, Webb's County Terrace; let at £36 per annum; same term, &c.—Sold for £155.

Leasehold Residence, No. 28, Webb's County Terrace; let at £30 per annum; same term, &c.—Sold for £135.



**Leasehold Residence, No. 30, Webb's County-terrace; let on lease at £30 per annum; same term, &c.—Sold for £145.**

**Leasehold Public House, The County-terrace, No. 31, Webb's County-terrace; let on lease at £31 per annum; term, 62½ years from March, 1811; ground-rent, £1.—Sold for £205.**

**Leasehold Dwellings, Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 10½, & 11, County-terrace-street, five Tenements in Cottage-place, and two Tenements in Williams-place; let at £62 per annum; same term; free of ground-rent.—Sold for £410.**

**Leasehold Dwellings, Nos. 2 to 7, McDonald's-buildings; let at £31:11:0 per annum; same term, &c.—Sold for £175.**

**Leasehold Dwellings, Nos. 4, 5, 6, 7, 8, 9, 12, & 13, County-terrace-street, and eight Tenements in Brunswick-court; let at £36 per annum; same term, &c.—Sold for £305.**

**Leasehold Houses, Nos. 45 to 48, County-terrace-street; let at £16:2:0 per annum.—Sold for £105.**

**Freehold Four Houses, Frederick's-place, Walham-green; also two tenements in the rear, and Nos. 1, 2 & 3, Pond-place; let on lease at £30 per annum.—Sold for £515.**

**Freehold Houses, Nos. 5 & 6, Farm-place, Walham-green; let on lease at £19 per annum.—Sold for £340.**

**Freehold House, Shop, and premises, No. 44, Mansell-street, Goodman's-fields; let on lease at £45 per annum.—Sold for £275.**

**Freehold Dwellings-houses, Nos. 59 & 60, Carlisle-street, Westminster-bridge-road.—Sold for £400.**

**Freehold Farm, at Cranham, Essex, comprising farm-house, outbuildings, &c., and 41½, 38, 309, of land; let at £46 per annum.—Sold for £1,250.**

**Leasehold (Two) Houses, Almona-cottages, East Chiswick Mall; also a Cottage; the whole estimated to produce £72 per annum; term, 63 years from Midsummer, 1836; ground-rent, £20 per annum.—Sold for £540.**

**Leasehold Residences, Nos. 1 & 2, Almona-cottages, and piece of garden-ground; let at £65 per annum; term, 63 years from Midsummer, 1851; ground-rent, £20 per annum.—Sold for £470.**

**Leasehold (Three) Cottages, called Somerfield-cottages; and Four Cottages, called Homefield-cottages, Chiswick-lane; let at £84 per annum; term, 21 years from Lady-day, 1858; ground-rent, £16 per annum.—Sold for £350.**

By Messrs. FULLER & HORNET.

**Leasehold Estate, the Imperial Vener Saw Mills, Wenlock-basin, Wenlock-road, City-road, with machinery, &c.; let on lease at £750 per annum; held for 40 years (less 4 days) from June 24, 1859, at ground-rent of £300:4:0 per annum.—Sold for £5,000.**

**An improved Rental of £172:1:0 per annum, arising from the foregoing estate, held for 40 years, from June 24, 1859, at £128:3:0 per annum, and let for whole term (less 4 days) at £300:4:0 per annum.—Sold for £2,000.**

By Mr. DEBENHAM.

**Freehold Premises, No. 101, Old-street, St. Luke's; let on lease at £35 per annum.—Sold for £1110.**

**Leasehold Residence, No. 1, Grosvenor-road, Highbury New Park, estimated value, £190 per annum; term, 96 years from Michaelmas, 1853; ground-rent, £15 per annum.—Sold for £1,170.**

**Freehold, Lauriston Cottage, Woodside-lane, Whetstone, Middlesex, with garden & grounds ½ an acre, estimated value, £60 per annum.—Sold for £290.**

By Mr. WAGSTAFF.

**Leasehold Residence, No. 6, Edward-street, Dorset-square, let at 15s. per week; term, 62 years from Christmas last; ground-rent, 7 guineas.—Sold for £155.**

By Messrs. GREEN & SON.

**Leasehold Residence, No. 10, St. John's-terrace, Regent's-park, estimated value, £95 per annum; held for 66 years from Michaelmas, 1852; ground-rent, £17 per annum.—Sold for £750.**

By Mr. T. FOX.

**Leasehold House, No. 7, Nichols-square, Hackney-road, term, 44½ years from Midsummer next; ground-rent, £3 per annum; let at £24 per annum.—Sold for £170.**

**Leasehold Dwelling Houses, Nos. 2, 3, & 67 to 71, Nichols-square, all let at £24 each per annum; and held for 44½ years from Midsummer next; ground-rent, £4 per annum.—Sold for £165 each.**

At GARNWAY'S.—By Mr. BAILEY.

**Copyhold Houses, Nos. 6, 7, & 8, Wellington-place, and 2 Cottages, called Pavilion Cottages.—Sold for £180.**

## London Gazettes.

### Commissioners to administer Oaths in Chancery.

TUESDAY, May 31, 1859.

**RIED, CHARLES, Gent.,** Glamford Bridge, Lincolnshire.  
**MARSHALL, THOMAS, Gent.,** High Wycombe, Bucks.

### Perpetual Commissioners for taking the Acknowledgments of Married Women.

TUESDAY, May 31, 1859.

**ARNELL, GEORGE, Gent.,** Keswick, Cumberland.  
**EDGELL, ALEXANDER, Gent.,** Raymond-buildings, Gray's-inn.  
**MACKRELL, JOHN, Gent.,** Cannon-st. West.

FRIDAY, June 3, 1859.

**FRANCIS, CHARLES, Gent.,** Austin Friars.

### Bankrupts.

TUESDAY, May 31, 1859.

**BOOTH, THOMAS MARSHALL, Steam Threshing Machineman, Sutton St. James, Lincolnshire.** Com. Sanders: June 21 and July 5, at 10.30; Nottingham. Off. Ass. Harris. Sol. Mossop & Wright, Long Sutton. Pet. May 27.

**BROWN, WILLIAM HENRY, Steel Roller, Sheffield.** Com. West: June 11 and July 9, at 10; Sheffield. Off. Ass. Brewin. Sol. Unwin, Sheffield. Pet. May 24.

**CORBETT, GEORGE, Cattle Salesman, Shotteswell, Warwickshire.** Com.

**Sanders: June 27 and July 11, at 11; Birmingham.** Off. Ass. Kinner. Sol. Kilby, Banbury; or Hodgson & Allen, Birmingham. Pet. May 25.

**CROZIER, WILLIAM ROBERT, & ABRAHAM HORNE, Ship & Insurance Brokers, 148 Leadenhall-st. (Crozier, Horne, & Co.)** Com. Fane: June 10, at 11; and July 15, at 1.30; Basinghall-st. Off. Ass. Whitmore. Sol. Linklater & Hackwood, 7 Walbrook. Pet. May 31.

**EDWARDS, EDWARD, Ironmaster, Abernethy, Vicar, Flintshire.** Com. Perry: June 9 and July 6, at 12; Liverpool. Off. Ass. Bird. Sol. Evans, Son, & Sandys, Liverpool; or James & Owen, Wrexham. Pet. May 28.

**JAMES, JOHN, Seaman, St. Just, Cornwall.** Com. Andrews: June 15 and July 6, at 12; Exeter. Off. Ass. Hirtzel. Sol. Head & Venn, Exeter. Pet. May 30.

**KATZENSTEIN, BRENNARD, Merchant, 56 King William-st.** Com. Evans: June 9, at 11; and July 14, at 12; Basinghall-st. Off. Ass. Johnson. Sol. Sandan & Cumming, Queen-st., Cheapside. Pet. May 20.

**LONG, JAMES, Jun., Builder, Witney, Oxon.** Com. Evans: June 16, at 11; and July 14, at 2; Basinghall-st. Off. Ass. Johnson. Sol. Solo & Turner, Aldermanbury. Pet. May 30.

**LYON, EDWIN DUNN, Flanconite Manufacturer, 26 Castle-st., Oxford-st.** Com. Evans: June 9, at 12.30; and July 14, at 1; Basinghall-st. Off. Ass. Bell. Sol. Murray, 13 Southampton-st., Bloomsbury. Pet. May 25.

**MAYSTON, FREDERICK, Grocer, Huddersfield.** Com. Goulburn: June 13, at 1.30; and July 18, at 12; Basinghall-st. Off. Ass. Pennell. Sol. Freeman, Huddersfield; or Caris & Cudworth, Leeds. Pet. May 4.

**REDGRAVE, WILLIAM RANT, Norwich, Chemist, and Surlingham, Norfolk, Manufacturing Chemist, lately in co-partnership with Chandler Tadmam.** Com. Fane: June 10, at 12.30; and July 15, at 12; Basinghall-st. Off. Ass. Camman. Sol. Turner & Turner, 68 Aldermanbury; or Miller, Smith & Bugg, Norwich. Pet. May 28.

**SILCOX, STEPHEN CHAPMAN, Carpenter, Trowbridge, Wilts.** Com. Hill: June 10 and July 11, at 11; Bristol. Off. Ass. Miller. Sol. Clark & Collins, Trowbridge; or Bevan & Girling, Bristol. Pet. May 25.

**TOPHAM, EDMUND, Machinist, Sheffield and Nottingham.** Com. West: June 11 & July 9, at 10; Sheffield. Off. Ass. Brewin. Sol. Smith & Burdick, Sheffield. Pet. May 28.

**WHITWELL, THOMAS, Licensed Victualler, Fir Trees Inn, Hermon-hill, Wansford.** Com. Holroyd: June 14 and July 12, at 2; Basinghall-st. Off. Ass. Edwards. Sol. Linklater & Hackwood, 7 Walbrook. Pet. May 30.

FRIDAY, June 3, 1859.

**BOWLING, JOHN, & JAMES LANE, Woollen Manufacturers, Batley, Yorkshire.** Com. Ayton: June 21 and July 25, at 11; Leeds. Off. Ass. Hope. Sol. Markland, Leeds. Pet. June 1.

**CLARK, CUTBERT ANTHONY, Foreign Warehouseman, 70 Newgate-st., and late of 6 Slater-st., Liverpool, (C. Clark & Co.)** Com. Holroyd: June 14, at 11.30; and July 12, at 12.30; Basinghall-st. Off. Ass. Edwards. Sol. Flux & Argles, 68 Cheapside. Pet. June 1.

**CLARKE, WILLIAM, Licensed Victualler, Great Stanmore, Middlesex.** Com. Goulburn: June 16, and July 18, at 11; Basinghall-st. Off. Ass. Pennell. Sol. Bebb, 12 Argyle-st., Regent-st. Pet. May 28.

**ELPHICK, ALFRED, Butcher, East Moulsey, Surrey.** Com. Goulburn: June 6, and July 11, at 12; Basinghall-st. Off. Ass. Nicholson. Sol. Harrison & Lewis, 6 Old Jewry. Pet. May 23.

**GOMME, WILLIAM LAWRENCE, & JOHN THOMAS BRYON, Auctioneers, Wycombe House, Hammermith (Gomme & Bryon.)** Com. Holroyd: June 17, at 1; and July 19, at 12; Basinghall-st. Off. Ass. Edwards. Sol. Flux & Argles, 68 Cheapside. Pet. May 25.

**LONG, JAMES, Jun., Builder, Witney, Oxford.** Com. Evans: June 16, at 11; and July 14, at 2; Basinghall-st. Off. Ass. Johnson. Sol. Turner & Turner, Aldermanbury; or Messrs. Mallan, Oxford. Pet. May 30.

**MINOTT, JOHN, Victualler, Lower Faneley-st., Birmingham.** Com. Sanders: June 23, and July 7, at 11; Birmingham. Off. Ass. Whitmore. Sol. Baxter, Birmingham. Pet. May 31.

**PARKINSON, WILLIAM, Carpet Manufacturer, Dewsbury.** Com. West: June 17, and July 15, at 11; Leeds. Off. Ass. Young. Sol. Scholes & Son, Dewsbury; Bond & Barwick, Leeds. Pet. May 21.

**PARSONS, JAMES CHARLES, Publican, Beaumaris.** Com. Perry: June 15, and July 6, at 11; Liverpool. Off. Ass. Morgan. Sol. Radcliffe, Liverpool. Pet. May 27.

**REDHAW, THOMAS, and JOHN REDHAW, Saddlers, Bourn, Lincolnshire.** Com. Sanders: June 21, and July 5, at 11; Nottingham. Off. Ass. Harris. Sol. James & Knight, Birmingham. Pet. June 2.

**TERRY, GEORGE, Tinner & Brazier, Leeds.** Com. West: June 17, and July 22, at 11; Leeds. Off. Ass. Young. Sol. Emsley, Leeds. Pet. May 20.

**THOMPSON, CHARLES ROBERT, & FREDERICK LUCAS, East India Agents, Winchester-house, Old Broad-st.** Com. Fonblanque: June 17, at 12; and July 15, at 1; Basinghall-st. Off. Ass. Stansfeld. Sol. Lawrance, Fiers, & Boyer, 14 Old Jewry-chambers. Pet. April 20.

### BANKRUPTCY ANNULLED.

FRIDAY, June 3, 1859.

**BLACKBURN, RICHARD, Tailor & Draper, 64 London-wall, and 13 Spencer-rd., Stoke Newington.** June 2.

### MEETINGS FOR PROOF OF DEBTS.

TUESDAY, May 31, 1859.

**DEAN, MICHAEL HOLLOWAY, Grocer, Ashbourne, Derbyshire.** June 21, at 11; Nottingham.

**GROSVONT, WILLIAM JOLLIFFE, Innkeeper, Kingweston, Somersetshire.** June 30, at 11; Bristol.

**HASTINGS, THOMAS, & SAMUEL HERON, Drapery, Kingston-upon-Hull; sep-estate of S. Heron.** June 23, at 12; Kingston-upon-Hull.

**HILL, CHARLES JAMES, Grocer, Birmingham.** June 23, at 11; Birmingham.

**MCCARTNEY, JAMES, Provision Merchant, South Shields.** June 22, at 12; Newcastle-upon-Tyne.

**MORRO, WILLIAM HORACE, Pawnbroker, Boston.** June 21, at 11; Nottingham.

**MORRIS, JOHN, Woollen Draper, Rhymney, near Tredegar, Monmouthshire.** June 30, at 11; Bristol.

**ROBINSON, CHARLES, Masonic Jeweller, 138 Strand.** June 23, at 11; Basinghall-st.

**ROYAL BRITISH BANK, Threadneedle-street.** June 24, at 11; Basinghall-st.

**TWIGG, ROBERT EXLEY, Grocer, Louth, Lincolnshire.** June 29, at 12; Kingston-upon-Hull.

WOODRUFF, HENRY EATON, Lace Manufacturer, Nottingham. June 21, at 11; Nottingham.  
WOOLLAT, WILLIAM, Lace Manufacturer, Nottingham. June 21, at 11; Nottingham.

FRIDAY, June 3, 1859.

LANDALE, JOHN, Innkeeper, Brompton, Yorkshire. June 23, at 11; Leeds.  
OWENS, JONATHAN, Assistant Overseer, Wrexham, JAMES JONES, Skinner, late of Portiche, Isle of Man, now of Wrexham, & JAMES JONES, Skinner, Salop-rd., Wrexham (Trustees of Evan Morris). June 30, at 11; Liverpool.  
POTTER, GEORGE, Lime Merchant, Purfleet-wharf, Earl-st., Blackfriars. June 27, at 12; Basinghall-st.  
ROSE, CHARLES, Cheesemonger, 38 Surrey-pl., Old Kent-rd. June 27, at 11; Basinghall-st.  
THOMAS, HENRY, Saddler, Walsall. June 30, at 11; Birmingham.

#### CERTIFICATES.

To be ALLOWED, unless Notice be given, and Cause shown on Day of Meeting.  
TUESDAY, May 31, 1859.

COWAN, JOSEPH, Commission Agent, Liverpool. June 21, at 11; Liverpool.  
FARRER, JOSEPH, Baker, Liverpool. June 21, at 1; Liverpool.  
HARRIS, JAMES, Flour Dealer, Bolton-le-Moors, Lancashire. June 21, at 12; Manchester.  
MASON, ROBERT, Wholesale Stationer, 22 Bryant-st., Caledonian-rd. June 23, at 1.30; Basinghall-st.  
PARKINS, JAMES, Auctioneer, 7 Minerva-ter., New Cross, and 5 Grocers'-hall-cd., Poultry. June 23, at 11; Basinghall-st.  
SHAKESPEARE, THOMAS, Coach and Harness Furniture Manufacturer, Birmingham. June 24, at 11; Birmingham.  
THOMPSON, JOHN, Publican, Slip Inn, Stainland, Westmoreland. June 23, at 11.30; Newcastle-upon-Tyne.

FRIDAY, June 3, 1859.

BARNASCHINA, ANTHONY, General Dealer, 16 New-rd., Gravesend. June 27, at 12.30; Basinghall-st.  
FLEESON, ELIZA, LUCY FLEESON, & HANNAH FLEESON, Milliners, Brighton (E. & L. Fleeson). June 24, at 1; Basinghall-st.  
HARRATT, CHARLES, Iron Merchant, 2 Royal Exchange-bldgs., and Canning-town, Bow-creek. June 24, at 12; Basinghall-st.  
JONES, ROBERT, Grocer, Mill-st., Toxteth-park, Liverpool. June 21, at 11; Liverpool.  
LOVELL, BENJAMIN, Currier, Northampton. June 27, at 12; Basinghall-st.  
POTTER, GEORGE, Lime Merchant, Purfleet-wharf, Blackfriars. June 27, at 11.30; Basinghall-st.  
SMART, JOHN, Pattern and Clog Manufacturer, Birmingham. June 24, at 11; Birmingham.  
TAYLOR, JOSEPH, General Dealer, Bradford. June 27, at 11; Leeds.

To be DELIVERED, unless APPEAL be duly entered.

TUESDAY, May 31, 1859.

ELSON, WILLIAM, Brickmaker, Hartley Wintney and Elvetham, Hants. Jan. 23, 2nd class.  
LIVINGSTON, JAMES, Merchant, Liverpool. May 20, 2nd class.

FRIDAY, June 3, 1859.

BAILEY, JOSEPH, Builder, Gooch-st., Birmingham. May 27, 3rd class.  
BRADLEY, JOSEPH, Jun., Ironmaster, Haltwhistle, Northumberland (Haltwhistle Iron Company). May 31, 2nd class, at the expiration of 21 days.  
BOULD, WILLIAM, Boot & Shoe Maker, Wolverhampton. May 27, 3rd class.  
CROW, THOMAS, Painter, Bridge-st., Berwick-upon-Tweed. May 31, 3rd class, at the expiration of 21 days.  
COFFAGE, THOMAS WILLIAM, Licensed Victualler, Newcastle-upon-Tyne. May 31, 3rd class; subject to suspension until Aug. 31 next.  
ELLIOTT, JOHN, Blacksmith, Farnham, Surrey. May 27, 1st class.  
FORAN, PETER, Grocer, Birmingham. May 27, 3rd class.  
FRASER, EDMUND WILLIAM, Contractor, 2 Kensington-pk.-ter. North, Nottingham-hill. May 27, 1st class.  
GOODMAN, WILLIAM, Leather Merchant, Birmingham. May 27, 3rd class.  
GOSWORTHY, WILLIAM JOLIFFE, Victualler, Kingweston, Somersetshire. May 30, 1st class.  
JENKINS, JONAS, Boot and Shoe Maker, Llanharan, Glamorganshire. May 30, 2nd class, subject to suspension for 3 calendar months.  
MARRIS, WALTER BUTCHER, Draper, Hackney-road. May 27, 1st class.  
NEWMAN, THOMAS, General-shop-keeper, Hindiveston, Norfolk. May 25, 2nd class.  
WILLIAMS, WILLIAM, Grocer, 132 Commercial-st., Newport, Monmouthshire. May 31, 3rd class, after a suspension of six months.

#### Assignments for Benefit of Creditors.

TUESDAY, May 31, 1859.

DUNLEY, JAMES, Ironmonger, Pentonville-rd. May 26. Trustees, G. Fowles, Ironmonger, 20 Barbican; T. Bannister, Cavt, Ironmonger, Hatton-garden. Sol. Child, 11 Old Jewry-chambers.  
CUNSON, JACOB, Widow and Executrix under the Will of the late George Cunson, and WILLIAM HENRY CUNSON, Printers & Lithographers, Kingston-upon-Hull. May 19. Trustees, A. Mount, Tea Dealer, Kingston-upon-Hull; G. Hesk, Printer & Stationer, Kingston-upon-Hull. Sol. Edlitt, Kingston-upon-Hull.  
DUNN, FRANK, Linen Draper, 5 Nelson-pl., Old Kent-rd. May 24. Trustees, W. Whiteman, Builder, Belgrave-ter., Lee, Kent; J. E. Ford, Warehousman, 63 Aldersbury. Sol. Huson, 4 King-st., Cheshire.  
GREENWOOD, WILLIAM, Timber Merchant, Devonport. May 23. Trustees, J. Smith, Butcher, Devonport; A. Bould, Newspaper Proprietor, Devonport. Sols. Beer & Rundle, Devonport.  
HAISE, JOHN, Yeoman, Landazard, Liskeard, Cornwall. May 21. Trustees, R. Taylor, Gent., Pengnith, St. Cleer, Cornwall. Sol. Caunter, Liskeard.  
MOWFORTH, WILLIAM, Builder, Heale, Yorkshire. May 2. Trustees, W. E. King, Ironmonger, York-parade, Kingston-upon-Hull; W. Dowling, Timber Merchant, 63 Aldersbury. Sol. Huson, 4 King-st., Cheshire.  
MEADS, 98 Colton-st., Kingston-upon-Hull.  
SHIPLEY, THOMAS, Grocer, Middlebrough, Yorkshire. May 23. Trustees, S. Stonehouse, Miller, Middlebrough; A. C. Knowles, Grocer, Stockton.  
SOL. Brewster, Middlebrough.  
THORP, SAMUEL, Builder, Ramhill, Lancaster. May 3. Trustees, E. Roberts, Accountant, Liverpool. Sol. Collins, Liverpool.

FRIDAY, June 3, 1859.

FARROW, CHARLES, Innkeeper, Bidestone, Suffolk. May 27. Trustees, F. Fisk, Brickmaker, St. Helen's-st., Ipswich; W. C. Randall, Auctioneer, Brook-st., Ipswich. Creditors to execute before July 27. Sol. Jennings, Ipswich.  
GIBBENS, JOSEPH, Baker, Culham, Oxfordshire. May 23. Trustees, T. Richardson, Grocer, Abingdon. Sol. Bartlett, Abingdon.  
HOVEL, JOHN, Corn Merchant, King's Lynn, Norfolk. May 10. Trustees, W. Platt, Farmer, Barton Bendish, Norfolk; H. Little, Farmer, Wiggens-hall, Norfolk. Sols. Bolton & Beloe, King's Lynn.  
HUGHES, RICHARD PAUGHARD, Draper, Carnarvon. May 18. Trustees, F. Taylor & J. Chadwick, Merchants, Manchester. Sols. Sumner, Carnarvon; Sale, Worthington, Shipman, & Seddon, Manchester.  
JONES, ISAAC, Grocer, Ystradgynaf, Glamorganshire. May 9. Trustees, E. Evans, Ironmonger, Pontypridd; W. Richards, Commission Agent, Pontypridd. Sol. Spickett, Pontypridd.  
MEACOCK, WILLIAM, Joiner & Builder, Liverpool. May 6. Trustees, R. A. Watson, Timber Merchant, Liverpool; E. Kirkby, Accountant, Liverpool.  
TAYLOR, WILLIAM, Builder, Stonehouse, Gloucester. May 14. Trustees, J. Ferrabee, Iron Founder, Brimscombe, Gloucester; J. Sharpe, Brick & Tile Maker, Stonehouse. Sol. Purchas, Stroud.  
WILLIAMS, RICHARD, Woollen Merchant, Manchester. May 6. Trustees, A. Mills, Manufacturer, Rochdale; J. Chadwick, Manufacturer, Manchester. Sols. Potter & Wood, Manchester.

#### Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, May 31, 1859.

DYMOND, ROBERT, M.D., Bolton-upon-Deane, Yorkshire (who died in or about November, 1858). Porter v. Dymond, M. R. June 24.  
GOODALL, CHARLES EDMUND, Esq., Normanton-in-the-Wolds, Nottingham (who died in or about October 1, 1856). Goodall v. Goodall and others, M. R. June 25.  
GOODALL, CHARLOTTE, Widow of Charles Edmund Goodall, Normanton-in-the-Wolds (who died in or about January 26, 1856). Goodall and others v. Goodall and others, M. R. June 25.  
HUGHES, WILLIAM, Gent., 38 Ion-rg., Hackney (who died in or about December, 1856). Ballenden and another v. Barnett and others, M. R. June 13.

FRIDAY, June 3, 1859.

BIDDICK, WILLIAM, Surgeon, St. Austell, Cornwall (who died in or about March 15, 1858). Parson v. Biddick and another, V. C. Stuart. July 4.  
EDWARDS, JOHN, Farmer, Trawsfynydd, Merionethshire (who died in or about November, 1850). Edwards v. Pugh and Wife, V. C. Wood. June 24.  
HART, JAMES, Farmer, Brick House-farm, Newton, near Sudbury, Suffolk (who died intestate in or about January, 1856). Hart v. Hart, V. C. Stuart. June 23.  
JACOBS, JAMES EDWARD, Compositor, Halifax (who died in or about May, 1858). Appleyard (Halifax Joint Stock Banking Company) v. Pedder, V. C. Stuart. July 4.  
MOORE, JAMES BENNETT, Esq., 36 Brompton-square, and Percy-lodge, Hyde, Isle of Wight (who died in or about December, 1858). Hardy v. Moore and others, V. C. Stuart. June 23.

#### Windings-up of Joint Stock Companies.

FRIDAY, May 31, 1859.

UNLIMITED, IN CHANCERY.

BRITISH AND FOREIGN RELIANCE MARINE ASSURANCE COMPANY.—Petition for dissolution and winding up, June 11. V. C. Wood.  
ERA ASSURANCE SOCIETY.—Call on the contributories of £2 per share, June 18, at 2. V. C. Wood.  
MANDALE MINING COMPANY.—Appointment of Official Manager, June 3, at 12. M. R.

FRIDAY, June 4, 1859.

UNLIMITED, IN CHANCERY.

CULCHOTE COPPER MINING COMPANY.—Absolute Order for Winding-up, June 11. V. C. Wood.  
ERA ASSURANCE COMPANY.—Call on all Contributories of £2 per share, June 18, at 2. V. C. Wood.  
NATIONAL ALLIANCE ASSURANCE COMPANY (Registered).—Settlement of list of Contributories, June 8, at 1. V. C. Wood.

#### Scotch Sequestrations.

TUESDAY, May 31, 1859.

FINELAY, JOHN, Wright & Builder, Glasgow. June 8, at 12; Faculty-hall, St. George's-pl., Glasgow. Seq. May 28.  
FOX, EDWARD VIGOR, Locking, Somerset, afterwards of St. Heliers, Jersey, and now of Haughhead, Peebles. June 3, at 2; Crown-court, High-st., Peebles. Seq. May 27.  
MATTHEWS, JOHN, Commission Agent, Garliestown, Wigtown. June 10, at 12; Queen's Arms-inn, Wigtown. Seq. May 27.

FRIDAY, June 3, 1859.

M'ARTHUR, JAMES, Spirit Dealer, Dumbarton. June 9, at 1; Elephant-hall, Dumbarton. Seq. May 28.  
M'LELLAN, DONALD, Ironmonger, Glasgow. June 7, at 12; Faculty-hall, St. George's-pl., Glasgow. Seq. May 31.  
MACKAY, ALEXANDER, sometime Druggist, 139 High-st., Glasgow, afterwards Surgeon, Bonar-bridge, now of Cromarty, June 8, at 1; Admiral Napier-court, Cromarty. Seq. May 30.  
SPENCE, JOHN, Tea Merchant, Glasgow (John Spence & Co.) Candleriggs-st. June 8, at 12; Faculty-hall, St. George's-pl., Glasgow. Seq. May 30.

#### THE SCOTCH TWEED and ANGOLA SUITS.

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The extraordinary results of this application may be briefly noted in a few of their most prominent features:—All sharp edges are avoided; no spring wires or fastenings are required; a greatly increased freedom of motion is supplied; a natural elasticity, hitherto wholly unattainable, and a fit, perfected with the most unerring accuracy, are secured; while from the softness and flexibility of the agent employed, the greatest support is given to the adjoining teeth when loose or rendered tender by the absorption of the gums. The acids of the mouth exert no agency on the chemically-prepared India-rubber, and, as it is a non-conductor, fluids of any temperature may be retained in the mouth, all unpleasantness of smell and taste being at the same time wholly provided against by the peculiar nature of its preparation.

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## LAW STUDENTS' DEBATING SOCIETY AT THE LAW INSTITUTION, CHANCERY-LANE.

This Society meets in the Arbitration Room, No. 4, of the above building, on TUESDAY EVENINGS, at SEVEN O'CLOCK, for the discussion of legal and jurisprudential questions. Entrance by the South Corridor from Chancery-lane.

## QUESTIONS FOR DISCUSSION.

For Tuesday, June 7th, 1859. President—MR. MARCHANT.

The Secretary will move—

"That the Annual Dinner of the Society do take place in the month of July next. That a Committee of four members be appointed to make the necessary arrangements, and that such Committee be empowered to draw upon the funds of the Society for any sum not exceeding £25 towards the expenses of the Dinner."

236. Does the burden of covenant, entered into by a lessee with the reversioner and a person having no estate jointly, run with the land? Wakefield v. Brown, 9 Q.B. 209, Magray v. Edwards, 13 C.B. 479, s.c. 1 Smith's L.C. 49.

Affirmative—MR. MUNN and MR. D. T. MILLER.

Negative—MR. TWYFORD and MR. RUSSELL.

For Tuesday, June 14th, 1859. President—MR. PLASKITT.

237. Should the decision of the Vice-Chancellor in *Browne v. Browne* 3 Smale & G. 568, be affirmed on appeal? Festing v. Allen, 12 M. & W. 279.

Affirmative—MR. MATTHEWS and MR. HOYLE.

Negative—MR. BURELL and MR. MOORSON.

For Tuesday, June 21st, 1859. President—MR. VINCEWORTH.

LXXX. Is it expedient, having regard to the existing state of affairs at home and abroad, that the Derby Government continue in office? Mr. MARCHANT is appointed to open the Debate; and Messrs. MERCER, BARTLETT, and DAVIS, to speak on the Question.

For Tuesday, June 28th, 1859. President—MR. COCHRAN.

238. If a Sheriff's Officer seize goods, having in order to make that seizure illegally broken open an outer door of a dwelling house in which they were contained, can the execution be set aside on the ground of the door having been so broken open? See *Semayne's case*, Smith's L.C. and authorities there cited.

Affirmative—MR. GIRDWOOD and MR. THOMPSON.

Negative—MR. WILLIAMS and MR. A. H. MILLER.

For Tuesday, July 5th, 1859. President—MR. LAWRENCE.

## ANNUAL MEETING.

The Report of the Committee will be read. The Treasurer will lay before the Meeting a statement of the payments and receipts of the Society during the past year, and a list of the unpaid fines and subscriptions.

Members who have been absent from six successive Meetings without notice must show cause why their names should not be erased from the lists.

The Officers of the Society for the ensuing year will be elected. Members are requested to attend punctually at seven o'clock. The Society will adjourn for the Long Vacation until Tuesday, the 28th October, 1859.

GENTLEMEN ARE REQUESTED TO SEND IN QUESTIONS FOR DISCUSSION.

\*.\* Members requiring Books from the Library must apply for them in the Arbitration Room, by seven o'clock, on the evenings of Debate. Copies of the Rules, and all requisite information, will be furnished by the Secretary, with whom gentlemen desirous of becoming Members are requested to communicate.

MARMADUKE MATTHEWS, Secretary,  
23, BUCKLEBURY, E.C.

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## THE SOLICITORS' JOURNAL.

LONDON, JUNE 11, 1859.

### CURRENT TOPICS.

The intimation which we gave last week has proved correct, and an amendment to the Address will this (Friday) night test the relative strength of the Ministerialists and the Opposition. The division will no doubt be a close one, but it is generally believed that the amendment will be carried by a small majority, and that the resignation of Lord Derby and his colleagues will follow as a matter of course. We apprehend that such an event would dispose of the Debtor and Creditor Bill already introduced by Lord Chelmsford, and of the Land Transfer and Registration Bills promised by the Solicitor-General. Should Lord Palmerston accede to office, Sir Richard Bethell will probably be placed on the woolsack; but we have already heard another arrangement hinted at, and Sir Richard is so valuable to his party in the House of Commons that it may be thought best to keep him there for the present. Sir Henry Keating will, no doubt, resume his position as one of the law officers.

Lord St. Leonards has again introduced the valuable measure on which we lately commented, and Lord Campbell his Bill on Malicious Indictments.

A return of the number of cases, both of divorce and judicial separation, disposed of by the Court since the 1st of January last, distinguishing the number decided on each day of its sittings, has been moved for by Lord Brougham, and will throw some instructive light on the working of the Divorce Act.

The Court of Common Pleas has decided the Shrewsbury case in favour of the Earl, who was present, with his Countess, to hear the judgment—an admirable specimen, we may remark, of Sir Alexander Cockburn's judicial powers. In the Court of Queen's Bench, an application has been made, by Mr. Bovill, for a mandamus to compel the issue, by the Bishop of Chichester, of a commission to investigate some doctrinal charges made against the rector of Lavington. The application is certainly novel, and might lead, as a precedent, to the

odd result of constituting the Court of Queen's Bench the exponent of ecclesiastical belief; and to this danger the judges seemed to be alive, though they finally granted a rule, with the observation from Lord Campbell, that it was a "startling" application.

In the *Queen v. Storrar*, a question has been raised, what is the governing body of a university? The University of London, by the late Medical Act, appoints one member of the new medical council. The council of the University claim the power of appointment, and have actually nominated Dr. Storrar; while the graduates assert that the election vests in themselves, as constituting the University. On the conclusion of the argument, judgment being reserved, Lord Campbell took the opportunity to dilate a little on the representation of universities in the House of Commons, and explained that if all universities were so represented, and all their graduates had votes, he should himself be entitled to exercise the privilege as a Doctor of Law and Master of Arts of St. Andrews. The public will be deeply interested in this revelation of the academical honours of the Chief Justice, and the obligation we are laid under to his Lordship is the greater, inasmuch as the biographical information thus conveyed, and the subject on which it was hung, had scarcely an appreciable connection with the point that had been argued before the Court.

A case which came before the Lord Chancellor on appeal from the Birmingham Court of Bankruptcy, affords a striking example of the confusion into which our law of joint stock companies has been thrown by the legislation of the last three years. The Act of 1856, recognising and developing the principle of limited liability as applied to ordinary trading companies, takes away from creditors every remedy (except under a winding-up order) for the recovery of debts due by such companies, where their assets only consist of capital not called up. It might, therefore, have been expected that care would have been taken, in drawing the Act, not to exclude any creditor from the benefit of the only remedy which the Act provided by way of substitute for all those which it had abolished.

In the *London & Birmingham Flint Glass Company*, however, the question was raised, whether an equitable creditor by assignment could obtain a winding-up order under the Act. Mr. Commissioner Sanders was of opinion that he could not; and the Lord Chancellor was very doubtful whether he could. Fortunately for the petitioner in that case it would not be necessary to decide the point, the petition having been presented in the name not only of the equitable creditor, but also of the creditor at law; but the case itself is another illustration of the necessity for a sweeping change in the manner of preparing Bills for Parliament. After several annual attempts to patch up our joint stock companies statute law, we have the misfortune to find that it grows more confused and absurd every session, for which we believe the Statute Law Commission (with all its sins of commission and omission) is not responsible. If the task of consolidating that branch of our law had been assigned to Mr. Ker and his colleagues, the public would have been a gainer in one respect, at all events, as those gentlemen most probably would not have settled the principle and method for some years to come, and the statute book would therefore have been spared the burden of the new joint-stock company law of 1855, 1856, 1857, & 1858. It is a curious circumstance, by-the-by, that the Statute Law Commission should have had nothing to do with the only legislative attempt which has been made while that very inert body has been in existence. A recent Parliamentary return shows that it has accomplished actually nothing beyond the expenditure (principally in salaries to Mr. Ker and Mr. Brickdale) of as many thousand pounds as would have been sufficient, in competent and

willing hands to have completed over and over again the consolidation and revision of the whole statute book.

The House of Lords delivered judgment yesterday in the Thelluson case, unanimously affirming the decision of the Master of the Rolls in favour of the grandson of Charles Thelluson, as being the "eldest male lineal descendant" of the testator is *point of line*; their Lordships holding that the words applied not to years, but to priority of succession, and of heritable blood.

#### COUNTY COURT COMMITMENTS.

The last return made to the House of Commons on commitments by county court judges, brings the matter to such a pass as will, we venture to say, compel the interference of the Legislature. It appears that, during the year preceding the date of the return, upwards of eleven thousand persons had been committed to prison by these judges, and that of this number upwards of eight thousand were so committed for default in payment of the sums for which judgment had been recorded against them. As all these thousands of defaulting debtors have been maintained, during their incarceration, at the public expense, it becomes difficult to say whether the individuals concerned, or the nation at large, have more interest in procuring an alteration of the present law. Imprisonment in any case is but a clumsy remedy, and it is only justifiable, on the question of policy, in criminal cases, from the belief entertained that punitive restraint, and its attendant circumstances, have a direct effect in reforming the offender, and deterring others from following his evil example. As the object of penal enactments is to repress crime, the expense incurred in the administration of our criminal law is at any rate consistently laid out. But it is difficult to understand on what principle imprisonment on civil process can be justified; the idea that it deters others from incurring debt is rebutted by the numbers found to be imprisoned, while it is wholly nugatory for effecting the original object of the suit—the payment to the plaintiff of the sum wrongfully withheld from him. Indeed, this system of imprisonment for default goes further, and extends the evil which it professes to remedy; for without affording redress to the injured plaintiff, it mulets other members of the community with the expense of maintaining the imprisoned defendant. A very brief calculation will be enough to show that the cost of 11,000 persons in jail is not to be passed by as of no moment.

The subject has been brought before the Law Amendment Society by Mr. Blundell, who deserves great credit for the energy and perseverance he has shown; and to that gentleman the following letter has been addressed by Chief Baron Pollock, in explanation of the remarks lately made by him in charging the grand jury at Bedford:—

Hatton, Homdallow, June 6, 1888.

Sir,—Accept my best thanks for your communication. My remarks at Bedford on charging the grand jury at the last assizes were not at all directed against the mode in which any county court judge had exercised his power, but against the *power itself*. It would have been cheaper in many instances, both for the *Treasury* and the *county*, to have paid the debts; for the expenses which fell on the Consolidated Fund, and the charge on the county, would have been sufficient to pay many of them several times over. I alluded to no particular case as one of injustice and oppression on the part of the judge, but as illustrating the folly and absurdity and the mischievous results of the *system*. Judges differ very much as to the cases in which they should exercise certain powers. I can imagine a county court judge to deem it his duty to send a man to prison 20 times if he owes sixpence, and *will not pay it*, and to punish him for his obstinacy as often as it is brought under his notice. The judge may be right or wrong; but the *system* is utterly bad which renders such a matter possible. I was once a member of the Common Law Commission, and we all thought that, instead of encouraging the system of credit (with reference to small transactions) by imprisonment for debt, it would be better to make ready-money dealing necessary by taking away all legal redress as to claims under a certain sum—as to the amount of which there was much difference of opinion. Credit is necessary in some cases—e.g. the wages of labour—the labour cannot be given instantly (like a loaf of bread), the labourer must trust the employer for the wages, or the employer must pay beforehand and give credit for the labour. But this is not the case with any claim for goods supplied, where the seller may insist on being paid before he parts with his goods. I believe if the cases in the county courts were

analysed, it would be found that, with reference to a large proportion, it would be better for the public that there should be no remedy for claims under a certain amount; and, in my opinion, such a system would (in the end) produce more economy and more real good feeling than prevail at present.—I have the honour to remain, yours faithfully,

FRED. POLLOCK.

We can hardly concur in the suggestion of the Chief Baron, that redress should be refused by the law in any case, because the amount in question might happen to be small. The great merit of county court legislation is the equality which it has established (in principle) between rich and poor; and we are no more anxious to see the credit system checked by denying legal redress for small debts, than to see the same system repressed by a similar denial of justice to large traders. The law should know neither class nor amount, but deal out the same rigorous justice respecting the widow's mite and the great man's treasure. It is because this cardinal principle of legislation is so flagrantly violated by the county court commitments that we desire their immediate cessation; but we should be sorry to see their abolition purchased by the surrender of the basis on which that best feature of modern improvement, the recognition of local justice, is and must be secured.

We hear, indeed, that the subject of county court commitments has been referred by the Lord Chancellor to the Standing Committee of County Court Judges, and that those learned gentlemen are expected to report to his Lordship at an early period. But with all due respect to this standing committee, we shall be glad to see the matter taken up in a more open way. The tone adopted on the question by more than one county court judge has not been reassuring, and a little public opinion may be infused into the discussion with good results. It is a singular proof of the obstructiveness exhibited, perhaps often unconsciously, by nearly all officials, that a set of men who owe their judicial position to a recent measure of law reform, are taking nearly the first opportunity that has presented itself to make a unanimous stand in favour of a glaring evil, condemned by nine-tenths of the nation. It used to be supposed that this tenacious defence of recognised abuses was confined to old institutions, grown stagnant from partial disease; but the struggle now being maintained for bankruptcy officialism and county court imprisonment, shows that the poison can work rapidly in young tribunals, and establishes a fact, we are sorry to write it, which is of evil augury for law reform.

#### JUSTICE FOR SOLICITORS.

The demonstration made by the Dublin solicitors, in consequence of the unjust preference shown for barristers in filling up places of public trust originally intended for our branch of the profession, has already produced a good result in Ireland, and has caused a more fair distribution of patronage in respect to some subsequent vacancies. We are much in need, on this side of the Channel, of a similar exertion; for so common has the habit become of promoting barristers to every piece of legal preferment, that we have been gradually edged out of a number of places, for which the qualifications of solicitors are, as a rule, far higher than those of the other branch of the profession. We have more than once pointed out that the masterships of the common law courts ought to be filled up from our body, and no office for which the peculiar training and experience acquired by a solicitor's practice are requisite, should ever be bestowed on the bar without a decided, and, when the opportunity is afforded, a public protest. The interests of the nation, which we take as the first guide for our opinion, demand that every place maintained by public money should be filled with the most efficient man who can be obtained for the work, and if this principle were adopted by solicitors as the test of patronage, and pressed on the notice of Parliament, those who dispense legal emolument would be compelled to recognise the

merits and acquirements of our body. We are glad to see that, within the last week, a solicitor has been selected to fill the vacant trusteeship of the county courts, and we hope that this is only one out of many such appointments that we shall be able to record.

## The Courts, Appointments, Vacancies, &c.

### COURT OF CHANCERY.

(Before the LORD CHANCELLOR.)

*Darison v. Young.*—June 4.

HIS LORDSHIP this morning, after hearing *Mr. Bagshawe*, jun., for the defendants, and *Mr. Willcock* for the plaintiff, disposed of the costs which had been reserved. His Lordship said that he was disposed to mark his disapprobation of the course pursued by the defendants in not having cross-examined the plaintiff and the bankrupt on their affidavits, and, therefore, although the plaintiff would have to pay all the costs in the cause down to the hearing in the court below, there would be no costs on either side from that time.

### COURT OF PROBATE AND DIVORCE.

BUSINESS OF THE COURT.—June 4.

In consequence of none of the probate and judicial separation cases set down for trial by jury being ready for hearing, notice was given that the jury would not be required to attend after the conclusion of the above case until the 15th inst.

### COURT OF COMMON PLEAS.

*The Earl of Shrewsbury v. Scott and Another.*—June 9.

The arguments in this important case, which have occupied the attention of the Court for eight days, were this day brought to a termination, when the LORD CHIEF JUSTICE delivered the unanimous judgment of the Court in favour of the plaintiff, and that the rule obtained by Sergeant Shee must be discharged. Rule to enter a verdict for defendants discharged.

By this decision, unless there is an appeal, the vast estates attach to the earldom.

### MIDDLESEX SESSIONS.—June 6.

The June general sessions commenced this morning at the Guildhall, Westminster. In consequence of the lamented death of Mr. Pashley, Q.C., the Assistant-Judge, Mr. Pownall, chairman of the Bench, opened the Court. There was a large attendance of magistrates.

Mr. Pownall said, he occupied the chair in consequence of the death of the late Assistant-Judge, who as lately as Tuesday week presided in the court, and had to quit the chair through the illness which carried him off in a few days. Mr. Pashley had presided over the sessions a little more than three years, as the successor of the late Mr. Serjeant Adams, who so long and so ably presided over the sessions, and to say that he was a worthy successor of that learned gentleman was paying no mean compliment to the memory of Mr. Pashley, whose loss they had now to lament. The late Assistant-Judge was a man of great learning and experience, and as judge he administered justice carefully and mercifully; and with respect to appeals, of which a great number came to the court, he was pre-eminently qualified to deal, the last part of his professional life having been devoted to that department. With respect to the gentleman who had been appointed by the Crown to succeed Mr. Pashley, he had only to say that he had long practised at these sessions, and had long enjoyed the esteem of the Bench, of his professional brethren, and of a widely-extended circle of friends—he meant Mr. Bodkin—and he could congratulate the Bench and the public upon the appointment of one so well qualified in every way to fill the office. There had been complaints of the arrears in the appeal list, but he trusted that in future the cases would not be entered unless they were ready for hearing, and that they would be either disposed of finally, or struck out of the paper at the session for which they were entered, and not adjourned from time to time as they had been, causing great delay and inconvenience to those interested in them, particularly parishes. He had only further to say that the appointment of Mr. Bodkin as Assistant-Judge, was in every way most satisfactory; a better selection could not have been made, and he begged to congratulate his brother magistrates, as their chairman, on Mr. Bodkin's elevation.

Shortly before twelve o'clock, the chairman said, certain for-

malities which it was necessary should be gone through were not completed, and he thought it would be most suited to public convenience if the Court adjourned until the following day.

On Tuesday, Mr. Bodkin having been sworn in, was introduced to the chair by Mr. POWNALL, and was warmly congratulated.

After the jurors had been called,

Mr. COOPER, the senior counsel present, said, he begged to be permitted, on behalf of the whole bar, as well as of himself, first, to offer to the family of the late esteemed Assistant-Judge an expression of their sincere condolence on the irremediable loss they had sustained in his premature death, and then to tender their warm congratulations on the appointment of Mr. Bodkin as his successor. The learned gentleman went on to say,—From your acknowledged talent, Sir, your judicial turn of mind and acquirements, great and comprehensive knowledge of the law, combined with that kindness of heart and amiability of disposition with which we are all familiar, we are all convinced that you will administer the law in this Court with ability, impartiality, and mercy. We can, too, but congratulate ourselves on your appointment as recalling to mind the well-known line, "Esther, though clothed in robes, is Esther still;" for we are convinced that, unlike some, you will never forget, or appear to do so, that you have been one of us, with us, mingling in that friendly and social intercourse which our profession so much encourages and promotes, and that we shall experience from you that kindness and courtesy so essential to the due and proper administration of the law, qualities which, if so humble a person as myself may be permitted to say it, add so great a charm to the other and high attainments possessed by the holder of the highest judicial office in the realm at this time. And, after the wear and tear of an extended professional career, in which you have gained much honour and general esteem, that you may enjoy many years of comparative *otium cum dignitate* is our sincere and fervent wish; and, when you shall retire years hence from active into private life, we doubt not that all men will say, "May his successor be but as fair and just as he!" Having intruded upon you these few remarks, we say once more, that we heartily congratulate this Court and the public on your appointment, and may you long continue in the enjoyment of it!

Mr. BODKIN said, it would be impossible to over-estimate the kindness which had induced these remarks from Mr. Cooper on behalf of the bar, as it would be difficult for him to express adequately his deep sense of the honour they had done him. He assumed the chair of this Court under circumstances of a serious and painful character. The loss of their late friend, Mr. Pashley, was one of a public character, for his great experience, legal knowledge, his many varied talents and acquirements, combined with his acquaintance with the general literature of the country, rendered him an ornament to his profession, and a most valuable public servant. Succeeding one possessing such eminent qualities, who was preceded by one no less eminent, the late Mr. Serjeant Adams, he should have to rely upon the kindness and forbearance of all in the discharge of his duties, to which he should bring the best of his energies. Personally, he wished to say he had not solicited the appointment; it had been given to him unasked by the authorized advisers of the Crown, and he might be excused if he added that the appointment had, he had reason to believe, met with the cordial approbation of those whom he now had the honour of calling his brother justices, and over whom he should have to preside as their judicial officer. He had practised before them for thirty-three years, and he had now arrived at a time of life when relaxation from the more active duties of an arduous profession was not undesirable, and he was very happy to say, and he should ever retain the pleasing recollection, that he never had any ill-feeling with any one in the profession. The loss of Mr. Pashley so suddenly ought to be a lesson to all as to the uncertainty of human life. But a few days ago he was discharging his duties in this very chair, and had every appearance of a long and useful life before him; he was but little over fifty years of age, yet he had passed from among us. It should be a solemn warning. As the successor of Mr. Pashley, he should bring to the discharge of the duties a real honesty of purpose, which he trusted would stand him in stead of short comings in other respects, and he should ever recall with pride and gratification the unmitigated kindness, forbearance, and cordial good feeling he had always met with, and to insure a continuance of which he should use every effort and endeavour. The learned judge then resumed his seat amid cordial applause.



## DINNER TO THE JUDGES.

On Friday, June 3, the Lord Mayor and the Lady Mayoress entertained her Majesty's Judges and a distinguished company of ladies and gentlemen in the Egyptian-hall of the Mansion-house. Besides the familiar names associated with these annual banquets, the list of guests on this occasion included the Earl and Countess of Elgin, and Sir John and Lady Lawrence. The usual loyal and patriotic toasts having been duly honoured,

The LORD MAYOR, in flattering terms, gave "The Lord Chancellor and the House of Lords."

The LORD CHANCELLOR, in returning thanks, observed, that he presented in his own person an illustration of that peculiar characteristic of the distinguished body to which this compliment referred, viz. the freedom with which it opened its portals to those who could not boast of high hereditary rank. In this respect the British aristocracy differed from almost all other aristocracies in the world. They were not hedged in by exclusive privileges—they were not separated from the rest of the people, but they were blended and intimately mixed up with the other sections of the community, of which they formed an integral part, like the Corinthian capitals which completed as well as adorned the pillars of the noble hall in which they were now assembled. It might be that amid the excitement of the hustings, or under the exhilaration of an after-dinner speech, they heard invectives against the exclusive privileges of the peers, and the narrowness of their order, and were even told that the very wars which this country had waged had been solely owing to a desire to aggrandize our aristocracy. But when the hour of sober reflection returned, we found these declaimers disposed to do the House of Lords justice—to acknowledge that it was an essential element of the constitution, the mainstay of the monarchy, and the friend of the liberties of the people. It might be, indeed, that measures which appeared to have the favour of the public were sometimes too long resisted; but the strength and security of our institutions required that when grave questions had been tossed upon the waves of popular passion, they should also pass through the ordeal of calm investigation and deliberative revision. Parliament was now about to proceed to the discharge of its important duties, and the House of Lords would doubtless be found faithfully performing its peculiar functions. It would evince no desire to obstruct any reforms which might be useful for the progress of our social system, but while seeking in all things to promote the public benefit, it would also strive to fulfil its peculiar mission of preserving and handing down to posterity unimpaired, the noble constitution under which we had the happiness to live.

The LORD MAYOR proposed "The Judges in Equity," to which Lord Justice TURNER responded, taking occasion to comment upon the honesty which generally animated the commercial classes of this country, tracing this characteristic to the free spirit engendered by our corporate and municipal institutions.

The LORD MAYOR next gave the "Health of the Common Law Judges."

Lord Chief Baron POLLOCK, in returning thanks, said, there was one novelty in their proceedings that evening—viz. that whereas it had been generally understood that equity followed law, the rule had now been reversed, and law had been made to follow equity. Having remarked upon the historic fame of the City of London as the cradle of liberty, and pointed out that its citizens had known how to combine loyalty with a manly spirit of independence, the learned Chief Baron concluded by giving the health of its present Chief Magistrate.

The LORD MAYOR acknowledged the compliment, and proposed the "Health of the Earl of Elgin," whose services as Governor of Jamaica, as Governor-General of Canada, and as British Plenipotentiary in China and Japan, were too well known and too universally appreciated to render it necessary for him now to recount them.

The Earl of ELGIN returned thanks in a speech of some length, in which he was much applauded.

The next toast given was, "The Bar of England," for which the Attorney-General responded; and the company shortly afterwards retired.

## NEW QUEEN'S COUNSEL.

We take the following from the *Morning Post*:—

"The Lord Chancellor has signified his intention of conferring silk gowns on two members of the Chancery bar—Mr. John Hinde Palmer and Mr. W. D. Lewis. The former gentleman was called to the bar in 1832, and has long had a large practice. At the recent election he contested Lincoln upon Liberal principles, and was only defeated by a small majority.

Mr. W. D. Lewis was called to the bar in 1844, having in the previous year published his treatise upon 'The Law of Perpetuities,' a work which, from the very first, assumed a place in the standard literature of the law. When the system of legal education was established in 1847, Mr. Lewis received the appointment of Lecturer on Real Property, an office from which he retired in June, 1852. The learned gentleman was subsequently appointed a member of the Registration of Title Commission. He is a Conservative, and was defeated at Sandwich only a few weeks ago. The profession, we believe, will admit that Mr. Hinde Palmer and Mr. Lewis richly deserve the promotion which the Lord Chancellor on Friday next has announced his intention of conferring upon them."

Mr. Hinde Palmer and Mr. Lewis, together with Mr. Archibald J. Stephens, of the Common Law Bar, were sworn in yesterday afternoon before the Lord Chancellor at the House of Lords, and will take their seats within the bar, before his Lordship, at Lincoln's-inn, on this (Saturday) morning. Mr. Lewis was elected to practise in the Vice-Chancellor Stuart's Court.

SCENE IN THE EXCHEQUER CHAMBER.—During the trial of a case at Nisi Prius before Mr. Baron Channell, about twelve o'clock yesterday, the Court was suddenly startled by hearing the sudden cry of a gentleman, who fell back into the arms of police-constable 182, blood flowing profusely from the mouth and nostrils. The business of the Court was suspended for a short time, until medical assistance could be obtained. A medical gentleman was soon on the spot, who recommended his removal to the King's Arms Tavern in Palace-yard, by the aid of a stretcher. Dr. McCann, of Parliament-street, who was sent for, stated that the unfortunate gentleman had been seized with a shock of apoplexy, and had burst a blood-vessel. He was, by his orders, laid on a bed and his head incased in ice. It was ascertained that the gentleman was a Mr. Cheshire, a solicitor, of Liverpool, who was in town on legal business, but not engaged in the case then proceeding before the Court.

THE PROSECUTION FOR THE SALE OF ARMY COMMISSIONS.—This prosecution, which has been removed by certiorari into the Court of Queen's Bench, will be tried on the 17th or 18th inst. Mr. Edwin James, Q.C., retained by the War Office, will conduct the prosecution. The various defendants will be represented by Mr. M. Chambers, Q.C., Mr. Serjeant Shee, and other learned gentlemen. The case will be tried by a special jury before Lord Campbell at Westminster.

The Treasurership of the County Courts of Herefordshire, vacant by the death of Mr. Gough, has been conferred on Mr. Martin Curtler, solicitor, of Worcester.

Mr. W. H. Bodkin, of the Home Circuit and Central Criminal Court, Recorder of Dover, is appointed Assistant-Judge of the Middlesex Sessions Court, in the room of Mr. Pashley, Q.C., deceased.

The Judge of the High Court of Admiralty has appointed Samuel N. Gissing, solicitor, Bedford, a commissioner to administer oaths in Admiralty.

Thomas Clement Sneyd Kynnersley, Esq., stipendiary magistrate of Birmingham, and formerly of the Oxford Circuit, has been appointed deputy-lieutenant for the county of Warwick.

The Queen has been pleased to appoint William A. Henry, Esq., to be Solicitor-General for the Province of Nova Scotia; and Frederick Brecken, Esq., to be Attorney-General for the Island of Prince Edward.

A few days ago, a distinguished American jurist, said to be Governor Seward, who will probably be the next President of the United States, took his seat on the bench with the Lord Chancellor at Lincoln's Inn, and remained for an hour listening to the argument of a case on appeal before his lordship.

## Notes on Recent Decisions in Chancery.

(By MARTIN WARE, Esq., Barrister-at-Law.)

## PRODUCTION OF DOCUMENTS—PRIVILEGE.

*Hunt v. Elvoss*, 7 W. R., M. R., 471.

This was a decision on the right of the plaintiff to the production of documents in the possession of the defendant, and shows how careful a pleader should be in his allusion to documents which he desires to conceal. The plaintiff was the mortgagee of a term of years, but the principal title-deeds had been fraudulently retained by the mortgagor. The latter subsequently sold the fee-simple by public auction to a purchaser,

who alleged that he had no notice of the mortgage. The mortgagee having filed a bill for foreclosure, the purchaser consented to produce the conveyance to himself, and by his answer to the interrogatories admitted that the land was conveyed to David Hughes, the mortgagor, by a deed dated the 30th May, 1854. And he added the following statement: "It appears by a recital in the last-mentioned indenture, and I have no reason to doubt the truth thereof, but I do not otherwise know it to be the fact, that the said David Hughes purchased the said premises by public auction, at the Mart, in the city of London, on the 7th October, 1852, for the sum of £700." The plaintiff then moved for the production of the documents in the possession of the defendant, which was opposed by him on the ground that they were his muniments of title, and that he was a purchaser for value without notice. The Master of the Rolls held, that the plaintiff had no right to the production of the title-deeds, except of the indenture of the 30th May, 1854; and his Honour held, that, as to that deed the plaintiff was entitled to its production, on the ground that its contents had been described by the defendant; and the plaintiff was, therefore, entitled to see whether the abstract given of it was correct. He considered that the case was governed by *Latimer v. Neate* (11 Bligh, 149), and observed that, although the principle had been questioned by *Wigram, V. C.*, the authority of that case was binding. (See "*Wigram on Discovery*," p. 358.)

## PRACTICE—ENROLMENT OF DECREE—CAVEAT.

*Pearce v. Lindsay*, 7 W. R., L. C., 474.

In this case an application was made to the Lord Chancellor to vacate the enrolment of a decree, on the ground that the appeal to the Lord Chancellor was already set down before the enrolment was signed. On the other hand, the enrolment was supported, on the ground that the appellants had not set down the appeal within the twenty-eight days which were secured to them by their caveat. The dates were as follows:—On the 22nd December the defendants, who were the appellants, lodged their caveat. On the 2nd March they presented the petition of appeal, and on the 4th paid the deposit. They did not, however, set down the appeal for hearing; and accordingly, on the 29th March, the plaintiff left the docket of enrolment for signature by the Lord Chancellor, notice of which was duly given to the defendants. By the 4th Order of the 7th August, 1852, it is provided that, where a caveat is entered, it shall be "prosecuted with effect" within twenty-eight days after the docket of the decree shall be left to be signed with the proper officer, otherwise the caveat shall be of no force; and such decree may, immediately after the expiration of the said twenty-eight days, be presented to be signed, as if no such caveat had been entered. The twenty-eight days expired on the 26th April. On the 23rd, the defendants served the order for setting down the appeal; and on the 29th, set it down. On the 30th the plaintiff, considering that the defendants ought to have actually set down the appeal before the twenty-eight days had expired, obtained the signature of the Lord Chancellor to the enrolment, and enrolled it on the 30th. The short point of the case was, whether the appellants had prosecuted their caveat "with effect," within the meaning of the fourth order. They had presented their petition to appeal, and had served the order on the opposite party, but had not actually set it down within the twenty-eight days allowed by the order. The Lord Chancellor thought, that strictly speaking, they had not done so, and if he were bound imperatively by the words of the order, the motion ought not to succeed. But as it appeared to be the usual practice to serve the order only for setting down the appeal, and not actually to set it down, within the twenty-eight days, his Lordship considered that it was a case in which the appellants were entitled to indulgence; and he, therefore, vacated the enrolment, but made no order as to costs. It is to be observed, that the enrolment was not actually signed till after the appeal was set down. But his Lordship did not appear to think that that fact made the enrolment irregular. He, therefore, preferred to treat it as a case of indulgence. (See *Morgan's "Chancery Acts*," 294.)

## INFANT—PATERNAL RIGHT OF CUSTODY—CRUELTY.

*Re Curtis*, 7 W. R., V. C. K., 474.

This was an application respecting the custody of the three infant children of a husband and wife, who have been separated by a decree of the Judge Ordinary of the Divorce and Matrimonial Court, on the ground of the cruelty of the husband. The application was rendered necessary by the doubts entertained by the Judge Ordinary (Sir C. Cresswell), as to the discretion possessed by the Divorce and Matrimonial Court in

making orders for the custody of children. It is well known that the Court of Chancery has always been most reluctant to interfere with the right of the father to the custody of his children, and will only do so in extreme cases of moral turpitude, or of gross cruelty. It was suggested that, under the 35th sect. of the 20 & 21 Vict. c. 85, the Judge Ordinary had a wider discretion. The judge, however, declined to exercise such a discretion. He observed: "It appears to be the intention of the Legislature to invest the Court with power to provide for the custody, maintenance, and education of the children of parties who have been affected by its decrees. But the Legislature has not prescribed any rules or principles by which the Court is to be governed, in dealing with this peculiarly delicate subject. I am in doubt whether it is intended that the Court should act, as nearly as possible, on the rules and principles by which the Lord Chancellor has been guided in questions relating to the custody of children, or whether it was intended to invest the Court with an absolute discretion, to be moulded by degrees into something like a system." His Lordship was of opinion that, under the circumstances of the case, it was not right that the children should be delivered up to the father, but as he could not vary a decree once made, he thought the most discreet course would be to order that the children should remain in the custody of the mother for three months; and in the meantime application might be made to the Lord Chancellor.

The present application was accordingly made to *Kinderley, V. C.*, to appoint the mother the guardian of her infant children. His Honour felt himself bound by the established principles of the Court of Chancery, so clearly laid down by *Knight Bruce, L. J.*, in *Re Finn* (2 De G. & Sm. 457), and repudiated any jurisdiction to consider what was best for the interests of the infants; and as he found no evidence of gross turpitude or cruelty towards the children, he refused to remove them from the power of the father.

It certainly appears probable that the Legislature intended to give some larger discretion to the Court of Divorce than is enjoyed by the Court of Chancery. The amendment of the law of divorce rendered necessary some corresponding alteration in the law as to the guardianship of the children. By the judicial separation, a new relationship has been created between the husband and wife, which necessarily disturbs the relative position of the father and his children. Probably Sir C. Cresswell would have been more ready to exercise his discretion on this point, if it had not been that the 35th section has omitted to make provision for the revision of the order with respect to custody from time to time, so that the order once made is final, whatever circumstances may subsequently arise. This difficulty could only be got over by having recourse to the jurisdiction of the Court of Chancery.

## Notes on Recent Cases at Common Law.

(By JAMES STEPHEN, Esq., Barrister-at-Law, Editor of "*Lush's Common Law Practice*," &c., &c.)

## ATTORNEY AND CLIENT—POWER TO COMPROMISE.

*Fray v. Fowler*, 7 W. R., Q. B., 446.

This is an important case with regard to the power of the attorney in an action to enter into a compromise in behalf of his client—a subject which has never yet been satisfactorily raised for the decision of the Courts, but which, by the present case, is at least put upon a defined and intelligible footing. The action was brought by a client against her attorney for negligence; and the negligence complained of was, that in the conduct of two actions in which she was the plaintiff, the present defendant had, contrary to the directions of his employer, consented to a *stet processus* being entered, on such employer being paid a certain sum in satisfaction of the injuries sued for. The defendant's answer to this charge was, in effect, that in entering into the compromise complained of, he had acted skillfully and by the advice of counsel, and, moreover, in a way which was beneficial to the interests of his employer—a defence which was demurred to as being no justification in point of law of a compromise entered into contrary to the express directions of the client. These pleadings raised the main point for discussion—viz. whether the attorney or the client is so far *dominus litis*, as to be entitled to decide whether a certain course shall be taken.

This question the Court of Queen's Bench unanimously answered in favour of the client. They said, indeed, that in the absence of any express directions, an attorney acting under a general retainer has a power to compromise the action he is

retained to conduct; but that, on the other hand, where express directions are given to him, he is bound by his duty arising out of the relation of attorney and client, to follow out his instructions.

In laying down this rule, the Court treated the case as one of first impression. They said, that, though the effect of an attorney acting contrary to his instructions had often been discussed, in reference to the rights and liabilities of third parties, it was otherwise with respect to the attorney and client themselves. "The only case," said Lord Campbell, "which at all touches this point is that of *Marzetti v. Williams* (1 B. & Ad. 415). There, as here, there was no positive damage done to the plaintiff, but the directions given by him were violated." In that case the defendant, it is to be observed, was not the attorney, but the banker of the plaintiff; and the injury complained of was, a refusal on the part of the defendant to pay a cheque drawn by the plaintiff, from an erroneous belief that there were not sufficient assets; and this refusal was held to be actionable, and to entitle the plaintiff to a verdict upon nominal damages, though he did not prove at the trial that he had suffered any actual damage from the injury stated in the declaration; and this was so held, because the defendants were guilty of a breach of that duty, which arose out of the relationship of banker and customer. It was on the same principle that the action in the present case was held to be maintainable, and the judgment of the Court upon the demurrer was accordingly given against the attorney. It is to be further remarked, that Lord Campbell expressly confined himself to the case of attorney and client, saying, "What I have said has no relation whatever to any case that may arise between counsel and client." That question has still to be fought in *Swinfen v. Chelmsford*.

#### LAW OF AUCTIONS—CONDITIONS OF SALE, WHEN BINDING ON PURCHASER.

*Reg. v. Skelton*, 7 W. R., Q. B., 447.

The case of *Hanks v. Palling* (6 Ell. & Bl. 659) was a somewhat singular one, and a striking instance of the care requisite in examining well into the conditions of sale before buying at an auction. In that case certain property was brought by the plaintiff, comprising (inter alia) a certain "fee-farm rent," which was afterwards discovered by the buyer not to have been paid to or received by the vendor for more than twenty years; and, consequently, to have been, at the time of sale, extinguished by the effect of the Statute of Limitations, 3 & 4 Will. 4, c. 27, s. 34. It formed, however, one of the conditions of sale, that no objection was to be taken to the title, "in consequence of the non-payment or non-receipt of the rent;" and accordingly the defendant was successfully sued by the plaintiff for the amount of loss occurring on a re-sale, after the defendant's refusal to complete the purchase. It was urged on the Court, that in *Robinson v. Musgrove* (2 Moo. & R. 92), and again in *Dobell v. Hutchinson* (3 A. & E. 355) it had been established that a party who buys at an auction lands and tenements, any substantial part of which afterwards turns out to have had no existence at the time of sale (even though the vendor may not have been guilty of fraudulent misrepresentation), is entitled to rescind the whole contract; and further, that a condition dispensing with the existence of the subject of sale described in the particulars, is repugnant and void. To this argument, however, on behalf of the defendant Palling, the Court replied, that what was intended to be, and in fact was sold, was the chance of getting the rent, though the Statute of Limitations prevented its being recovered by law; and that the language of the condition of sale had been studiously framed, so as to preclude the objection which had been taken. The present case was, in its material points, similar to that of *Hanks v. Palling*, and the result was the same. Certain property sold by auction had been described as comprising "well-secured improved leasehold ground-rents;" and one of the conditions was, that "no objection should be taken by the purchaser of such rents, on the ground of there being no reversion in the vendor." It turned out that in point of fact the vendor's original interest in the property, out of which the rents in question were paid, was leasehold only, and that he had under-let for the whole of his original term. Consequently the only security for the "ground-rents" was the personal covenant of the sub-lessee. It was, therefore, contended that the description of the rents offered for sale in the particulars as ground-rents (they being secured neither by the right of distress nor of re-entry) was incurably vicious, and made the condition itself void. The Court, however, without debate, compelled the defendant to complete his bargain, holding that there was no such mis-description of the property sold as would affect the contract. (See Sugden's, "Vendors and Purchasers," chap. i.)

## Parliament and Legislation.

### HOUSE OF LORDS.

Tuesday, June 7.

Her Majesty the Queen opened Parliament this day in person, and read her speech from the throne.

#### THE DEBTOR AND CREDITOR AND THE REGULATION OF JOINT STOCK COMPANIES BILLS.

The LORD CHANCELLOR said, their Lordships would remember that he introduced these Bills in the last Parliament; that they passed through all their stages; and that they were sent down to the House of Commons. He proposed, with their Lordships' permission, to introduce them again on an early day, and to advance them as rapidly as possible without discussion, although of course any of their Lordships would be at liberty to discuss them if they thought proper.

#### THE QUEEN'S SPEECH.

The Earl of POWIS moved the Address in answer to the Royal message.

LORD LIFORD seconded the adoption of the Address, which was agreed to.

Thursday, June 9.

BILL READ A FIRST TIME.

#### MALICIOUS INDICTMENTS BILL.

LORD CAMPBELL brought in a Bill upon this subject, which was read a first time, and ordered to be read a second time to-morrow (Friday).

#### DEBTOR AND CREDITOR AND WINDING-UP JOINT-STOCK COMPANIES BILL.

The LORD CHANCELLOR said, it was now his intention to pass those Bills through the House as rapidly as the forms would allow, as they had already undergone discussion, and had passed their Lordships' House without any opposition. He therefore proposed now to read the Bill for the amendment of the law of debtor and creditor the first time, to read it a second time to-morrow (Friday), and a third time on Thursday next.

The Bill was then read a first time.

#### CONSOLIDATION OF THE LAWS RELATING TO JOINT-STOCK COMPANIES.

The LORD CHANCELLOR moved, that the Bill be read a first time, which was agreed to, and it was ordered to be read a second time to-morrow (Friday).

BILLS READ A SECOND TIME.

#### LAW OF PROPERTY AND TRUSTEES RELIEF AMENDMENT BILL.

On the motion of Lord ST. LEONARDS, the Bill was read a second time, and ordered to be committed to-morrow (Friday).

#### MOTIONS AND QUESTIONS.

#### THE PROBATE AND DIVORCE COURT.

LORD BROUGHAM moved for returns as to the state of business in the Divorce Court, specifying the number of applications for judicial separation or dissolution of marriage disposed of daily since the 1st of January last.

### HOUSE OF COMMONS.

Tuesday, June 7.

#### COURT OF DIVORCE AND MATRIMONIAL CAUSES.

MR. EDWIN JAMES gave notice that on Thursday, the 16th inst., he would ask the Attorney-General whether the attention of Government has been directed to the large arrears of cases standing for trial in the Divorce Court, and to the inadequacy of the tribunal, as at present constituted, to transact the necessary business. Also, how many and what days have been fixed by the judges having jurisdiction for the hearing and disposal of such petitions now standing for adjudication.

#### THE ADDRESS.

MR. A. EGERTON moved, and Sir J. D. ELPHINSTON seconded, an address in answer to her Majesty's speech.

The Marquis of HUNTINGTON moved, and MR. HANBURY seconded, an amendment, to the effect that her Majesty's Government did not possess the confidence of the country. The debate was adjourned.

Wednesday, June 8th.

#### PRIVATE BUSINESS.

On the motion of MR. J. WILSON, the Standing Orders were



suspended, and several private Bills were read a first, second, and third time, under the continuance order of last session.

#### JURY TRIAL (SCOTLAND) ACT AMENDMENT.

Mr. DUNLOP brought in a Bill to amend an Act of the 17th and 18th years of her Majesty, for allowing verdicts on trials by jury in civil causes in Scotland to be received, although the jury may not be unanimous.

Thursday, June 9th.

BILLS READ A FIRST TIME.

CHURCH-RATES.

HIGH SHERIFF'S EXPENSES.

Mr. GRIFFITH brought in a Bill to regulate the expenses of the office of high sheriff.

NEWSPAPERS, &c., BILL.

Mr. AYRTON brought in his Bill of last session to repeal certain Acts and parts of Acts relating to newspapers, pamphlets, and other publications, and to printers, type-founders, and reading-rooms.

MOTIONS AND QUESTIONS.

Mr. CHISHOLM ANSTAY.

Mr. E. JAMES gave notice that on Monday, the 20th of June, he would move for the production of the papers connected with the suspension of Mr. Chisholm Anstey from the office of Attorney-General of Hong Kong in the month of August, 1858.

#### REGISTRY OF TITLES TO REAL ESTATES.

Mr. SCULLY asked the Solicitor-General whether the Bills to simplify the title to landed estates, and to establish a registry of landed estates, the progress of which was interrupted by the dissolution, were among those measures of legal and social improvement referred to in the speech from the Throne, as intended on the part of the Government to be again brought under the consideration of the House during the present session.

THE SOLICITOR-GENERAL said the Bills were quite ready, and would be introduced at the earliest possible opportunity.

The adjourned debate on the Address was proceeded with and adjourned.

ELECTION PETITIONS.—Petitions have already been presented to the House of Commons against the late elections for Ashburton, Berwick-upon-Tweed, Aylesbury (a double return), and Great Yarmouth. They have been referred to the General Committee of Elections, and will be tried in due course.

### Communications, Correspondence, and Extracts.

#### RATING OF TITHE RENT CHARGES.

A circular has just been issued by the Poor-law Board, withdrawing the circular of the 4th of September last, relative to the rating of tithe rent-charges, and substituting advice more in accordance with the decision of the Court of Queen's Bench in the cases of *Reg. v. Goodchild*, *Reg. v. Lamb*, and *Reg. v. Hawkins*. After the narration of the steps by which the board have been led to withdraw their former circular, the conclusion is stated as follows:—

The board consider that, in whatever manner the gross estimated rental be calculated, the net rateable value must be obtained by deducting from the annual value of the rent-charge for the current year the following items:—

a. The annual amount chargeable on the rateable value for tenant rates and taxes.

b. An annual average per centage for the costs of collection, for legal process, and for losses.

c. The proportionate charge for the ecclesiastical dues and fees, and an average sum for the annual cost of repairing the channel.

d. A reasonable sum for a curate's salary, if in your parish a curate is employed to supply necessary aid to the minister and not as his substitute.

e. The amount payable to the minister of a district, if the parish has been legally divided, and the tithes have been actually or virtually severed, and an amount charged upon the living in behalf of such minister.

f. A reasonable sum for a tenant's profit, if, regard being had to the observations upon the point already set forth above, such additional allowance is required to be made in your parish.

This decision will afford to nearly all clerical owners of

tithes relief from paying rates upon that portion of the income of the living which is expended in the provision of assistance in the discharge of its duties, and confine the assessment to the amount which really is received by the incumbent in return for his personal services. The circular is directed generally to placing the rent-charges on the same footing as other property, instead of the course advised in the former circular of placing the gross rent-charges in the rate-book in juxtaposition with the rents of other property, the former being the gross produce of the tithe, and the latter the rents received after the deduction of rates and outpayments.

#### DIVORCE IN CANADA.

The following is a copy of the despatch addressed to the Governor-General by the Imperial authorities, recommending the Canadian Government to take action on the law of divorce:—"Downing-street, April 12. Sir,—In transmitting to you a copy of the Act 'to amend the law relating to Divorce and Matrimonial Causes in England' I wish to call your attention to the great importance of the subject. Her Majesty's Government regarded this subject as within the general class of internal affairs the duty and right of regulating which belong to the Colonial Legislatures under free institutions. But they are, at the same time, fully sensible of the great importance of uniformity of legislation on this head, so far as it can be attained without injury to these principles of colonial government, and the danger, as well to public morality as to family interests which might arise from the law of the colonies on the subject of marriage and divorce differing materially from that of the mother country, and of each other. It is, therefore, the wish of her Majesty's Government that you should consult your Council as to the expediency of at once introducing a measure which shall incorporate, as nearly as the circumstances of the colony will admit, the provisions of the Act recently passed in England. Some of the minor provisions of the Act may probably prove incompatible with the requirements of the colony, nor is it my wish to prescribe uniformity in such unessential particulars. But the serious questions which might arise from difference of legislation on that portion of the subject which relates to dissolution of marriage, or divorce a vinculo—questions possibly affecting the validity of marriages contracted in one part of the empire after divorce in another, and consequently legitimacy of offspring—render it advisable that if the Legislature should pass any Act varying in an important degree from the present law of England in this particular you should reserve it for the consideration of her Majesty. The clause in most governors' instructions relating to divorce Acts has been usually held to apply only to special Bills for the relief of named persons, and you need not consider yourself in any way fettered by its provisions. I find, from communications received from parts of her Majesty's colonial possessions, that an impression existed that the late Government designed to propose to Parliament measures for extending the law to the dominions of the Crown in general. I am not aware on what ground this has been supposed, and can only state that no such measure is in contemplation.—I have, &c., STANLEY."

#### The Provinces.

BATH.—*Stealing Watches*.—Amongst the persons whose watches were stolen at Bath races last week were Sir Eardley Wilmot, Bart., Judge of Bristol County Court, and one or two legal gentlemen who were beside him. The robbery excited some amusement amongst the friends of the parties.

CAMBRIDGE.—*Fast Life*.—Last week, in the County Court, George John Watts, an undergraduate, formerly of Corpus Christi College, and now of Queen's, appeared as an insolvent debtor, with a view to pass his first examination. It appeared that the young man had been two years at the university, and that his debts incurred in that period exceeded his college expenses and an allowance of £50 per annum from his father by 473l. 10s. 6d.; that of this sum 161. 7s. 7d. was due to five hosiers, 53l. 10s. 3d. to seven wine merchants, 176l. 16s. 6d. to eight tailors, 18l. 8s. 11d. to four shoemakers, 25l. 4s. to two jewellers, 52l. 4s. 5d. to four livery-stable keepers, &c. The insolvent was opposed on the ground that he had contracted these debts without reasonable expectations of being able to pay them; that he had converted some of the goods he had obtained into ready money at "an alarming sacrifice," having procured them for that purpose; and that he had obtained possession of

other articles by false representations. Counsel having been heard in support of these allegations, Dr. Leapingwell, on the part of the insolvent, urged that the creditors were to blame for not making proper inquiries, and that they had also displayed a great want of forethought. The father of the insolvent was a clergyman, with a small living—vicar of Brockworth, Gloucestershire—and had six other children besides the young man now before the Court; he had, however, offered to pay 4s. in the pound. Mr. Naylor, who appeared for twenty of the creditors, said, they asked that the young man should be properly punished, as a warning to others; but they would be willing to treat with forbearance and respect any offer on the part of the father. After discussion, his Honour declined to name a day for making a final order in the case, or to grant the protection of the Court to the insolvent, who was afterwards arrested at the railway station.

**LEDGER.—The late Murder.**—The examination of Jones was resumed on Friday, the 3rd inst., and the magistrates, after hearing some more evidence of an unimportant character, in corroboration of facts already proved, committed the prisoner Jones to take his trial at the next assizes, on the charge of the wilful murder of Harriett Baker, all the witnesses being bound over to appear against him. The prisoner was removed in the evening to the county jail at Hereford.

**LEEDS.—Statue of the late Mr. Robert Hall.**—A meeting of the subscribers to the fund for raising a statue of the late Mr. Robert Hall, formerly M.P. for this borough, was held last week, at the Town Hall, under the presidency of J. H. Shaw, Esq. The object of the meeting was, to decide to whom the commission for preparing the statue should be given. Mr. D. Lee, of the firm of Messrs. Lee & Welsh, Woodhouse-lane, was in attendance by request, many of the subscribers having, during the past fortnight, had an opportunity of inspecting a model prepared by him, and which has been on view at Mr. Lee's studio. According to that gentleman's design, which was accepted, a statue in white marble, of colossal size, will be erected, representing the late member for Leeds as Recorder of Doncaster, in the robes in which he appeared in his official capacity before her Majesty. At the base of the statue will be strewn several volumes, one of which will be inscribed with the word "Reformatories," as suggestive of the exertions which Mr. Hall made, and the interest he exhibited in the Reformatory movement. It was further determined by the subscribers that the statue, when completed, should be presented to the Town Hall committee, to be placed in the Victoria Hall.—*Leeds Mercury.*

**LIVERPOOL.—Coroner v. Magistrate.**—At the police-court last week, Alice M'Alister was brought before Mr. Mansfield, charged with having caused the death of Sarah Evans. The coroner's jury returned a verdict of "manslaughter" against the prisoner, but Mr. Mansfield, after hearing the evidence, said, that the charge against the prisoner appeared to him to be murder, and not manslaughter. When a person used a weapon intending to inflict a serious injury, as, no doubt, the prisoner did, and that injury terminated in death, there appeared to be malice, and that malice would constitute murder. The prisoner was committed for trial for murder.

**MANCHESTER.—Breach of the Printworks Act.**—A case under the Printworks Act lately came before the magistrates at the New Bailey. The proprietor of Hendham Vale Printworks, Harpurhey, was charged by the inspector of factories and printworks for the Manchester district with employing an unregistered child in his works, and another offence against the Act, of keeping her in his employment without having a medical certificate. The inspector stated that the Printworks Act differed from the Factory Act with respect to the matter of education, inasmuch as it only required that the children should attend school at least 150 hours in six months. The magistrates convicted the defendant in the penalty of £3 for each of the two offences included in the charge against him.

**WAKEFIELD.—Shooting Game out of Season.**—On Monday Mr. Stringer, solicitor, Horbury, was charged before the magistrates with unlawfully killing a partridge between the 1st of February and the 1st of September, contrary to the form of the statute, &c. The offence having been proved, Mr. Stringer was fined 6s. 6d., and 13s. 6d. costs.

**WALSALL.—New Magistrates.**—We understand that an addition to the commission of the peace for this borough has been made in the persons of the following gentlemen:—J. W. Newman, Esq., Henry Brace, Esq., Peter Potter, Esq., Stephen Stokes, Esq., and J. B. Anderson, Esq. The original list had been reduced by deaths and removals to seven, and the present addition restores the list to its former number of twelve.

## Ireland.

### IMPORTANT MEETING OF THE SOLICITORS OF IRELAND.

In pursuance of a requisition signed by upwards of one hundred solicitors, a meeting was convened by the Council of the Incorporated Law Society, for the 3rd inst., "to take into consideration the recent appointment of other than solicitors to offices that might with greater propriety be filled by members of their profession." The attendance was very numerous, and comprised all the leading solicitors in Dublin. The immediate cause of the meeting was the late appointment of a barrister, Mr. Smyly, Q.C., to the office of solicitor to the Inland Revenue department. The reports of the speeches made by some of the ablest members of the profession at this meeting, occupy about four ordinary newspaper columns. The following is an outline of some of the more important of them, and of the resolutions passed:—

The CHAIRMAN, Mr. Meade, Vice-President of the Law Society, having explained the objects of the meeting,—

Mr. R. J. ORPEN proposed the following resolution:—"That we feel ourselves bound to express our extreme dissatisfaction at the manner in which the legitimate rights of the solicitors have been disregarded by successive Governments, in appointing members of the bar to ministerial offices connected with the law in Ireland, which have been held, and the duties of which we consider would be more efficiently discharged by attorneys and solicitors of experience in their profession." In moving the resolution, Mr. Orpen remarked, that there were probably many among them who cared very little for place; but there were in their profession a large number of gentlemen perfectly competent, by their talents and by their conduct, to fill any office properly belonging to their branch of the law, and it was not just that those offices should be filched away for the aggrandisement of the bar. As one of the vice-presidents of the Law Society, he had been requested to come forward, and he could not hesitate to discharge what he considered to be a duty, in doing so.

Mr. W. GIBSON, in seconding the resolution, said, that the meeting was the largest ever assembled in that hall, and the only one within his recollection for the purpose of remonstrating against the grievances to which their profession had been subjected by successive Governments. The meeting had originated not within the Council of the Law Society, but among the profession generally. Mr. Gibson then read several extracts from addresses delivered by the late Sir M. O'Loughlin, M.R., Judge Crampton, Baron Pennefather, and other eminent judges, containing eulogistic references to the ability and probity displayed by the profession generally; and proceeded to say that the present system of place-hunting, which prevailed among the ranks of the bar, tended to lower its character, and to impair its public utility. Neither branch of the profession should trench upon the rights of the other; and the bar, to which 900 situations (from Lord Chancellor, down to supernumerary Crown Counsel), were open, ought not to infringe upon the fifty or sixty places, of all kinds, open to the solicitors. Let their claims be fairly pressed upon the Government, and they could not be longer disregarded.

Mr. H. MILLS moved—"That the practice of filling such ministerial offices by members of the bar is unjust towards our body; and is calculated to induce persons to go to the bar, not with a view of regular advancement in their profession, but that they may be qualified to fill every place connected with the administration of the law,—a practice recently followed to an extent highly injurious and derogatory to us."

Mr. NUNN (Solicitor to the University of Dublin), thanked the originators for a movement which, so well supported, must eventually be successful. They were, he said, prepared to show that their movement was not based on merely personal motives, but that the interests of the public were involved in everything that could promote or advance the standing of their profession. Judicial offices might be fairly claimed by the bar; but regiments, chief clerkships, &c., were offices more adapted for solicitors, and should be claimed by them.

Mr. R. POWER moved—"That inasmuch as statute 9 Geo. 4 c. 25,\* as evidenced by the recent appointment of a barrister to the solicitorship of Inland Revenue, operates injuriously to our

\* The Act first authorizing the appointment of a barrister to the solicitorship of Inland Revenue, which had always theretofore been filled by an attorney or solicitor.

profession, we pledge ourselves, collectively and individually, to use every exertion to procure its repeal."

Mr. TOOMEY, in seconding the resolution, observed, that they were placed in their different localities in the front rank in political struggles, and were never found to flinch from their principles, which could not be said of many members of the bar. He thought that two of the ablest members of their profession should, irrespective of politics, be returned by their united influence to Parliament, for the express purpose of advocating their claims.

Mr. DILLON moved—"That withholding from our profession appointments which we are justly entitled to, and are fully qualified to fill, is calculated to induce us to withhold our confidence and support from any Government persevering in such a course." He said, that the following statistics gathered from the Directory might be of service:—There were 1,014 barristers with addresses in Dublin. Of these, all were probably ready for anything that might fall in their way; but only 448 subscribed to the Law Library—to which it was necessary that every actual practitioner should belong. The number of attorneys and solicitors with addresses in Dublin was 1,490, of whom 1,300 actually practised, and took out annual certificates. Hence a majority of the bar were ready for place rather than for practice. The incomes attached to the Court of Chancery, and enjoyed by members of the bar, from the Lord Chancellor downwards, amounted to £42,030 per annum. In the law courts, Landed Estates Court, and the inferior courts, such salaries amounted to £110,000 more. Thus places of the annual value of £152,000 were allotted to members of the bar. The taxing-officers and registrars in Chancery were peculiarly officers who should have the education of a solicitor. The solicitors on the roll had paid stamp duty to the amount of £150,000, and paid an annual tax of £10,000, and still they were excluded from the offices best adapted for them.

Mr. ELLIS, in seconding the resolution, said, that they were indebted to the present Chancellor for an improved schedule of fees, but not for the appointments he had made. He had appointed only barristers as registrars and secretary—all those offices being open to solicitors. The appointments given to the bar were in the rates of forty to one to those which fell to their branch. Since the present Government came into power, they had dispensed legal patronage of the annual value of £42,000, of which only £350 had fallen among the solicitors.

Mr. DANE recommended a memorial, signed by the profession generally, addressed to the executive, and quoted the following remark from the *Evening Mail*:—"The lust of office is becoming so prominent among members of the bar as to be at once offensive to public taste and dangerous to constitutional liberty."

Mr. A. BARLOW moved, and Mr. E. FETHERSTONE seconded, the following resolution:—

"That a memorial, embodying the grievances complained of, be presented to the Lord Lieutenant; and that petitions on the same subject be presented to both Houses of Parliament; and that it be referred to a committee to prepare such a memorial and petitions, such committee to consist of," &c.

After some further observations by Mr. W. A. DANE, Mr. GILSON, and Mr. J. M. CANTWELL, thanks were voted to the chairman and to the public press, and the meeting separated.

#### PROMOTIONS AND APPOINTMENTS.

The meeting of the solicitors, of which a brief account is given above, has already produced results of a satisfactory character. Of course, the barrister just appointed to the solicitorship of Inland Revenue cannot be displaced; but the manner in which more recent vacancies have been filled up evidences the utility of united action in support of the just claims of the solicitors' branch of the profession.

The resignation of Mr. Kemmis, has placed two appointments at the disposal of the Government—those of Crown Solicitor for Dublin, and of Solicitor to the Treasury, both of which had been for many years held by Mr. Kemmis. Now, there is a strong presumption that a barrister would have been nominated for the latter of them, had not the aggregate meeting of the 3rd inst. been announced. On that day, however, it became known that Mr. Thomas Mostyn had been appointed solicitor to the Treasury, a post believed to be worth little short of two thousand a year. Mr. Mostyn is a solicitor of very high reputation, and, although a strong politician, is popular with all parties, and his promotion has given universal satisfaction.

Mr. Matthew Anderson, solicitor, and senior proctor in the Admiralty Court, has been appointed to the other vacant

office, that of Crown Solicitor for Dublin. Mr. Anderson is a Presbyterian, and was long a leading Conservative member of the Corporation of Dublin.

To the place vacated by Mr. Mostyn on his promotion—that of Clerk of the Crown for the County of Sligo, the Attorney-General has appointed a Mr. Clancy, who is unconnected with the law.

It is believed that the office of Registrar of Judgments is now, or shortly will become, vacant by the resignation of Mr. E. H. Scriven. It is supposed that Mr. Thomas Courtney, solicitor, will succeed Mr. Scriven; and that the post of Registrar of the Nisi Prius Court in Dublin, when vacated by Mr. Courtney, will be given by the Chief Justice of the Common Pleas to his son. It is in the gift of the three chiefs of the law courts, in rotation.

#### Societies and Institutions.

##### LAW AMENDMENT SOCIETY.

A meeting of this society was held on Monday evening, Lord Brougham in the chair.

The CHAIRMAN stated that, from the smallness of the attendance on the present occasion, and from both the Bankruptcy Bills being at this time in abeyance, the meeting would have to decide whether they should proceed with the adjourned discussion on the report of the bankruptcy committee, or wait till the matter again came before Parliament.

Mr. LAWRENCE moved that the further consideration of the resolutions of the Bankruptcy Law Committee be adjourned to a future meeting. The committee had taken great pains in preparing the report, and the discussions on the resolutions had hitherto taken place at full meetings of the society. The 10th resolution, embodying a valuable suggestion relative to the Court of Appeal, had been adjourned from one of these meetings, and he did not think it would be convenient to consider it in the absence of several gentlemen who had discussed the matter on the former occasion, and who had been anxious to have a further opportunity of expressing their views. He thought that the proper time for finally considering the report would be when the Bankruptcy Bills were again brought before Parliament.

Mr. E. W. FIELD opposed the adjournment. The discussion on the report of the Bankruptcy Committee had been adjourned from the 9th of May to this day, and due notice had been given that it would be resumed on the present occasion. A good deal was reported to have been said on former occasions with which he could by no means agree, and he was anxious to have the question of the retention of the present system of official assignees discussed with fairness and candour. He thought it better to take the opinion of the society in the absence of certain parties interested in the subject. He had no objection to hear the views of those parties, but he did not consider it proper that they should vote on the question.

Mr. S. MORLEY also objected to the adjournment. Although anxious that every opinion should be heard on the subject of the winding-up of bankrupts' estates, he had arrived at the conclusion that the present mode could no longer be maintained. The mercantile community had ceased to have confidence in the Court of Bankruptcy, and the present system was clearly tending to a collapse. He thought that no injustice would be done in discussing the subject in the absence of the parties alluded to.

Mr. HASTINGS thought it was not desirable to vote on important questions at small meetings; yet, after the notices which had been given, and the adjournments which had already taken place, and considering that there were several gentlemen who had come here for the purpose of expressing their opinions, he thought it better to proceed with the discussion.

Mr. EDGAR was in favour of proceeding with the consideration of the report. The subject of Bankruptcy had occupied the society during four meetings of the present session; and he was anxious, with reference to other questions, that the matter should now be disposed of. On the subject of official assignees he thought it better that the society should express no opinion. If the resolution in favour of maintaining the present system were adopted, he knew, from the views expressed to him by different members, that complaints would arise in various quarters. He wished only to state his views with reference to what he considered to be the interests of the society; but he felt bound to say that the opinions of the committee on some important points relating to the amendment of the Bankruptcy Laws, were not those held by a large portion of the mercantile community, and by a large number of the members of this society. If the discussion were now proceeded with, he would



move that no opinion should be expressed by the society on the subject to which he had referred; but this would not interfere with members stating their individual views on the subject.

Mr. LAWRENCE would press his motion. He did not agree with the views of the secretary, as to the expediency of the society not expressing an opinion on the question mentioned; but the adjournment would not prevent a motion being made to that effect when the matter came under consideration at a future meeting.

The motion was carried.

Mr. HASTINGS, at Lord Brougham's request, stated the result of the deliberations of the Criminal Law Committee on the subject of false pretences on the sale of goods. Some months since a letter from Lord Brougham had been read to the society, in which the present unsatisfactory state of the law was pointed out; and this letter had been referred to the committee, and considered by them. The first point was, what was the actual law on the subject. Now a false pretence in the sale of goods might be either as to quantity or quality. As to the first, nothing can be clearer than that the law, as laid down by Lord Mansfield, in *Wheatley's case* (2 Burr. 1,125), denied that any false representation as to quantity at the time of sale was the subject for a criminal indictment, the injured buyer being left to his civil remedy. But in *Reg. v. Sherwood* (1 D. & B. C. C., 251), it had been decided that a false representation as to quantity subsequent to sale and delivery was within the statute; a coal-dealer was held to be rightly convicted who had sold 14 cwt. of coals as 18 cwt., and, after delivery, had gone to the house of the buyer and reiterated the falsehood. The law was more strict in the point of quality; but recent decisions had brought it to an anomalous state, which it was hardly possible to justify. It appeared that, if the deception extended to the whole body or substance of the article sold, an indictment for false pretences would lie; but if the article were ejusdem generis with that described by the seller, however inferior in value, the offence was not within the statute. Thus, in *Reg. v. Roebuck*, where the seller described a chain as silver, it being entirely of a baser metal, without any admixture of silver, the conviction was affirmed; while in *Reg. v. Bryan* (1 D. & B. C. C., 265), where the seller had deceived the purchaser by stating that the spoons he parted with were of that kind known as Elkington's A, whereas they were of very inferior quality, but still had a slight coating of silver, the majority of the judges quashed the conviction. In this case Mr. Justice Willes and Mr. Baron Bramwell commented in forcible terms on the unsatisfactory state of the law, and contended that the maxims of law should be made consonant to morality, and not be lowered to meet the supposed requirements of trade. In the Indian Penal Code, prepared by Mr. (now Lord) Macaulay, some valuable observations would be found on this subject. The committee were averse to dealing—at any rate at present—with the subject of quantity, but thought that the present law might be properly enlarged, so as to avoid the technical distinctions which had been drawn as to quality, the committee being strongly of opinion that no argument of a sound nature could be brought forward to support the punishment of a seller who deceived as to the whole substance of an article, which would not apply with equal force to the case of a seller who deceived wilfully and fraudulently as to part of the substance. Mr. Hastings read a short Bill, which had been prepared by the committee, and which he undertook to present to the society for discussion at the next meeting.

After some conversation on the subject of fraudulent sales of goods, the society adjourned till Monday, the 20th June, at eight o'clock.

#### UNITED LAW CLERKS' SOCIETY.

We call the attention of our readers to the twenty-seventh anniversary dinner of this society, which is to take place at the Freemasons' tavern, on Tuesday, the 21st June. It has always appeared to us, that this society is one of the most useful amongst our numerous voluntary institutions. It not only encourages the formation of habits of prudence and forethought in the members, but in affording assistance to the families of those who have never contributed to its funds, it well deserves to be placed amongst the foremost of our benevolent societies, and to receive the countenance and support of every branch of the profession. Our assurance offices are most valuable; but still they leave a want unsupplied. The man with a fixed and certain income can keep up his policy; but what is the poor clerk to do when overtaken, as is often the case, by long continued illness? Pressure comes when he is least able to bear it; he cannot provide for the present, much less the future, and his policy of assurance must be surren-

dered at great loss or forfeited. What is, then, to become of him and those dear to him? No longer able to labour, his difficulty is how to live. Here an institution like this steps in and solves the problem for him. During his sickness, it may be for months, pecuniary assistance is regularly afforded, and his assurance, which gives him the right to it, kept up out of the relief afforded. However long this affliction may endure, the society never abandons him. The benefits of a society like this are incalculable; and we hope that the forthcoming anniversary will be a prosperous one for the society. The Hon. Mr. Baron Martin, who it appears is to preside, will make a most efficient chairman, and we trust that the stewards will, as a reward for their disinterested exertions, be able to present to the committee of the society a sum which will enable them still further to carry out its benevolent object.

#### DUBLIN STATISTICAL SOCIETY.

A meeting of this society was held on Friday, the 27th ult., Pollard Urquhart, Esq., M.P., in the chair.

A letter was read from Mr. Thomas L. Whistler, M.B., with reference to the proposed Bill for the registration of marriages, births, and deaths in Ireland. Mr. Whistler complained that, according to the proposed Bill, it was intended to compel medical men to give certificates as to the cause of death in all cases which they attended professionally. They were to receive no remuneration for this duty, but if they neglected to do so they were to be fined £2 for each default. The writer objected that the discharge of this duty would occupy a great deal of the time of professional men, especially in cases of sudden death, where they would be obliged to make post-mortem examinations.

A discussion ensued, in the course of which it was stated that a similar act, in operation in England, was found to work, and was not complained of by the medical men.

Professor Hancock said, he had been requested by Mr. Little-dale to mention that, in the course of some searches which he was engaged in making for legal purposes, he found a record of a grant of the 14th James I., granting the office of registrar of births, baptisms, marriages, and burials in Ireland, to Sir George Keare, Knt. This office existed four years, but the duty of keeping the registry was afterwards imposed on the clergy. The following was an extract from a royal letter of the 18th James I., directing the Privy Council in Ireland to consider the subject:—

Right Trusty, &c.—The matters complained of by our subjects in Ireland were presented to us by the Lord of Devlin, &c. The registering of the marriages, christenings, and burials, according to the manner of our other kingdoms, is a matter of such consequence, so useful and advantageous both to us and our service, and to our subjects in the whole course of these affairs, that no man is able to say anything against the practice of it in that realm; but the question before us was this, whether the registers of these things might not be as duly and orderly kept by the ministers of every parish, only for usual fees now taken by them for the said christening, marriage, and burial, with any other charge to people, as now they are by the public register at Dublin, for the keeping whereof the said expenses are taken, which is a payment whereof they desire to be released, so as the manner of holding this register being complained of, and not the thing itself, we have thought good to be resolved therein by you and our council, and to require both you and them, that for your better information in so doubtful a cause, you should confer as well with the bishops of our council as some convenient number of other bishops concerning that particular; and having seriously considered of their answer, together with the objections which the agent shall make against that public register, whom you are likewise to hear; then we do expect you and our council should faithfully deliver unto us your opinions whether, all circumstances considered, it may stand best with the weal of that kingdom to have the public register continued, as it now is altogether taken away.

#### SOLICITORS' AND GENERAL LIFE ASSURANCE COMPANY.

\* At a general meeting of this company, held on Monday week at the Gray's-inn Coffee-house, a statement of accounts was laid before the proprietors, and a report read. The statement of accounts reported the amount received from premiums during the year ending 31st December last at 39,195. 16s., and the total receipts from all sources, including the balance brought over from the previous year, at £40,987. The payments in discharge of claims arising on expired policies were stated at 12,507. 4s.; to annuitants, 1,494. 11s. 5d.; in loans on security, 12,507. 4s.; and the cash balance on deposit and in current account at banker's, in secretary's hands, and due from agents, 7,546. 1s. 9d. From the report it appeared that 329 policies, assuring the sum of £110,185, and producing premiums to the extent of £3,595, have been issued, and five annuities of the value of £370 per annum have been granted during the year. The number of policies in force (exclusive of forty annuities, amounting to £1,495 per annum) is 1,898, covering assurances

to the extent of £929,915, and yielding an annual income of £29,000. Some questions were asked with regard to particular items of the report, which was adopted, and the thanks of the meeting were then given to the chairman and officers.

## Law Students' Journal.

CAMBRIDGE, JUNE 4.

The Examiners of the Law Degree have given notice that the subject for the English thesis for candidates for honours at the examination to be held in the ensuing Michaelmas Term is:—"The influence of Greek Philosophy upon the Writings of the Roman Lawyers." See "Cicero de Legibus," l. 5. The viva voce examination for honours will be held on Wednesday, the 30th of November, and the following days. The essays and the particular question that each candidate may select for discussion at the viva voce examination must be sent to the Regius Professor of Law (Dr. Abdy) on or before Saturday, November the 19th, either to the porter's lodge, Trinity-hall, or to his chambers, Lamb's-buildings, Temple. The viva voce examination of those who are not candidates for honours will commence on the afternoon of the last day of their written examination.

N.B.—The reading of each essay at the viva voce examination is not to occupy more than half an hour.

LINCOLN'S-INN, June 10.—The undermentioned gentlemen were this day called to the degree of barrister at law by the Honourable Society of Lincoln's-inn; viz.—Montague Hughes Cookson, Esq., B.C.L. (holder of the Studentship of Hilary Term, 1859); Ebenezer Charles, Esq., B.A. (Certificate of Honour, first Class); the Hon. Dudley Campbell, M.A.; Edward Bradford Medlicott, Esq., B.A.; Michael Richard Barry, Esq.; Thomas Nottidge, Esq., B.A.; Alfred Smith, Esq., B.A.; Edward Wingfield, Esq., B.C.L.; William Lowndes, jun., Esq.; Thomas Cheney, Esq., M.A.; Thomas Kennedy Pater, Esq.; Charles Henry Chatfield, Esq., B.A.; Leone Levi, Esq.; George Charles Broderick, Esq., M.A.; George Clifford Mayer, Esq.; William Neish, Esq.; John Compton Lawrance, Esq.; Robert O'Byrne, jun., Esq.; Herbert Thomas Knatchbull Hugessen, Esq., B.A.; and Herbert Riversdale Mansel Jones, Esq., B.C.L.

THE INNS OF COURT.—We hear that it is now finally agreed by the committee from the four inns of court, to establish compulsory examinations, and particularly an entrance examination. We presume that members of the universities will have acceded to them their traditional privileges.—*Oxford and Cambridge Middle Class Reporter.*

## ADMISSION AND EXAMINATION NOTICES, &c.

Notices of Examination for Hilary Term, 1860, must be given on or before Tuesday, the 1st day of November next.—Notices of Admission for Hilary Term, 1860, must be left at the Masters' Office on or before Saturday, the 29th of October, and be entered in the Judges' books on or before Tuesday, the 1st of November.

Renewed Notices of Examination and Admission for Michaelmas Term must be given and entered on or before Thursday the 23rd instant.

The Certificates of Examination of Clerks not admitted within two Terms after Examination must be enlarged by Judge's Order, which can be obtained on filing an affidavit of the facts occasioning the necessity for an enlargement.

Gentlemen desirous of giving notices for taking out or renewal of Certificate, for the day after the last day of Michaelmas Term, 1859, must do so on or before Tuesday, the 1st of November; or if a Certificate is required forthwith, on filing a special Affidavit, a Judge's Order can be obtained for a ten days' notice.

## ADMISSION OF ATTORNEYS.

Trinity Term, 1859.

The days appointed for admission in common law are Wednesday, the 15th, and Thursday, the 16th inst. It is necessary that the Judge's fiat, the Examiners' Certificate, the Affidavits of the Execution of Articles, and of payment of Stamp Duty, together with Stamped Admission, should be left at the Masters' Office the day previous. The oaths will be administered in the Ball Court, adjoining the Queen's Bench Court, Westminster Hall, at ten o'clock each morning; but gentlemen about to be sworn should be in attendance by half-past nine at latest, to answer to their names.

## ADMISSION OF SOLICITORS.

Trinity Term, 1859.

The Master of the Rolls has appointed Thursday, the 16th instant, at the Rolls Court, Chancery-lane, at four o'clock, p.m., for swearing solicitors.

Every person desirous of being sworn on the above day must leave his common law admission, or his certificate of practice for the current year, at the Secretary's office, Rolls-yard, Chancery-lane, on or before Wednesday, the 15th instant.

## QUESTIONS AT THE EXAMINATION.

Trinity Term, 1859.

### I. PRELIMINARY.

1. Where, and with whom, did you serve your clerkship?
2. State the particular branch or branches of the law to which you have principally applied yourself during your clerkship.
3. Mention some of the principal law books which you have read and studied.
4. Have you attended any, and what, law lectures?

### II. COMMON AND STATUTE LAW AND PRACTICE OF THE COURTS.

5. Mention the different steps to be taken by the plaintiff in an ordinary action where the defendant appears and pleads.
6. What is the shortest time within which an execution can be issued against a defendant after the service of the writ of summons?
7. Define replevin.
8. In what case can you proceed with an action against a foreigner resident abroad?
9. Give the form of attestation of a warrant of attorney.
10. What is the difference in the effect of the plaintiff being nonsuited, and having a verdict against him?
11. Under what statutory obligation is a tenant, on whom a writ in ejectment has been served, to give notice thereof to his landlord?
12. In whose name would you sue for a chose in action?
13. In actions against two defendants where the whole damages have been levied on one, when has the one any remedy against the other for contribution, and when not?
14. What is a lien, and when has a party a right to it?
15. What is meant by stoppage in transitu? Give an instance, and show how it may be defeated.
16. How far is payment into Court to the indebitatus counts an admission of the cause of action?
17. Is there any difference in the effect of paying money into court where the declaration sets out a special contract?
18. What is the effect of pleading the general issue by statute? and what does the pleading rule on the subject require?
19. Mention some of the alterations in the law made by the "Mercantile Law Amendment Act, 1856."

### III. CONVEYANCING.

20. State the law of disposition by will, under the Wills Act, 1837, in these cases—1, the power of disposition of estate real and personal, acquired after the execution of the will; 2, the effect as to revocation, of any conveyance or act done relating to the estate disposed of, not being in itself an act of revocation, subsequently to the execution of the will; 3, the operation of a residuary devise on real estate, comprised in a devise which fails by death, or otherwise becomes incapable of taking effect.

21. State also the law in the following cases—1, the estate created by a devise of real estate without words of limitation; 2, in case of a devise for an estate tail, where the devise dies in the testator's lifetime, leaving issue inheritable who survive the testator; 3, in case of a devise to a child or other issue of the testator for an estate not determinable with his life, where the devisee dies in the testator's lifetime, leaving issue who survive the testator.

22. State generally and briefly the purport of the Act 1845, to render unnecessary the assignment of satisfied terms—what terms are declared to cease absolutely; what terms on their becoming attendant. In taking a conveyance on sale, subject to a mortgage or charge secured by a term, which is paid off out of the purchase-money, would you, as a general rule, rely on the release of the party receiving the money, or require an assignment of the term? Give your reasons.

23. What power is, by the Act of 1855, given to an infant to make a settlement on marriage of property real or personal; at what age, male and female respectively; and what provision

is made in case of dying under age, in regard to a settlement made under a power of appointment, or by disentailing assurance?

34. Explain the provisions of the Act 1857, to enable married women to dispose of reversionary interests in personal estate. To what class of instruments conferring the title, in regard to their date, is the Act confined? To what rights and powers beyond actual interests does the Act extend, and what classes of interests are excluded from its operation?

25. In regard to the Acts 1856, 1858, authorising, under sanction of the Court of Chancery, leases and sales of settled estates, state the extent of the leases authorised for agricultural, mining, and building purposes, respectively; the authority for special provisions for building land, and reservation of minerals; and what leases does the Act authorise, and by what persons, without any application to the Court?

26. Explain the provisions of the Acts 1849, 1850, for remedying defects in leases under powers. What provision is made for giving validity to leases invalid by reason of deviation from the terms of the power, and what provisions for the confirmation of such leases?

27. Referring to the Act to Amend the Law of Real Property, 1845, state the purport of its provisions under these heads, or some of them:—1. The operation of a deed of grant feoffment, exchange, and partition, respectively. 2. Allowing the giving of an immediate estate, or the benefit of a condition or covenant to a person, not a party. 3. The power of disposition by deed of contingent, executory, and future interests. 4. The alteration of the law in regard to contingent remainders.

28. In preparing a conveyance of fee simple lands to a man not having a wife to whom he was married before 1834, is it the best practice to convey to uses to bar dower, and with or without an express negation of right of dower, or to insert a declaration of the fact that the purchaser is either a widower or a bachelor, or has married since 1833, or to abstain altogether from notice of dower? Give your reasons.

29. State in general, but accurate, terms, what is a succession, within the Succession Duty Act, 1853, and the description of property charged—say, if leaseholds are treated as real or personal property. Give an instance or instances of succession whereon the duty attaches—say how far the duty attaches on interests aliened before the succession takes effect. By what rule is the value of the succession measured? How does the charge affect alienees by titles arising after the duty attaches, and what in the cases of property, real and personal, respectively, and what power is there of making separate assessments so as to discharge portions of property from the liability. If you do not answer the whole, answer some parts of the question.

30. State the periods of the statutable limitation of time for enforcing claims on land, after the right accrued, in case of right, to rights of common, rights of way and of water, and right to the use of light, respectively.

31. What is the effect of the release by an owner of a rent-charge of part of the lands charged? Would the purchase of any part of the land by the owner of the rent-charge have the same effect? Is there any sound reason for continuing the existing state of the law?

32. State generally and concisely the provisions of the Bills of Sale Registration Act, 1854, what is required to establish a bill of sale against bankruptcy, insolvency, assignment for general creditors, and execution at law or in equity? How far does a registered bill of sale affect the right in bankruptcy, under the doctrine of reputed ownership?

33. State in a general way the origin, whether by common law or decision, of the rule for prevention of remoteness, under the name of the rule against perpetuities,—and give in definite terms that rule—stating within what period, reckoning from what time executory interests, other than those in remainder after an estate tail, must vest in right, if at all.

34. Describe the restraint on accumulation of the income of real or personal property, imposed by the Thelusson Act, 39, 40, Geo. 3, c. 98. Give the extent of period for which such income may be accumulated, and say for what purposes, provisions of accumulation are allowed, beyond the limit imposed by the Act.

#### IV. EQUITY AND PRACTICE OF THE COURTS.

35. Will a Court of Equity enforce specific performance of a voluntary agreement, whether by parol or under seal, for a settlement of real or personal estate; or will it carry into execution a settlement of real or personal estate actually vested in trustees, who have accepted the trusts?

36. An intestate married since 1834 dies possessed of real as well as personal estate, leaving a widow, a son, and several

other children; what are their respective rights and interests in the intestate's property?

37. What is necessary to give validity to the will of a married woman?

38. What operation has a clause against anticipation upon a gift of the income of real or personal estate to a woman who is unmarried at the time of the gift, afterwards marries, and then becomes a widow?

39. What is the mode of proceeding when a trustee is desirous of paying money or transferring stock into court under the Trustee Relief Acts?

40. What are some of the principal matters which are the subject of applications to the judges in chambers?

41. What covenants would be inserted by a Court of Equity in a lease of a dwelling-house in pursuance of a contract for a lease subject to "usual covenants"?

42. By what instruments can a father appoint guardians of his children, and what are the ordinary powers and duties of guardians?

43. Will the Court under any, and what, circumstances, during the lifetime of a father, order the income of a fund belonging to his infant child to be applied for his maintenance?

44. Have the town agents of a country solicitor any, and what, lien upon the papers in their hands belonging to the clients of the country solicitor?

45. What are some of the ordinary cases in which the Court will appoint a receiver pendente lite?

46. What is the general test of the plaintiff's right to an order for production of documents in possession of the defendants?

47. Under any, and what, circumstances will the Court permit the bidding at a sale under the Court to be opened?

48. Explain the mode of administering an insolvent estate, as between specialty and simple contract creditors, where the assets are partly legal and partly equitable.

49. What are the usual trusts of a settlement of the property of a ward of Court on her marriage with a gentleman who brings little or no property into settlement?

#### V. BANKRUPTCY AND PRACTICE OF THE COURTS.

50. Give some account of the jurisdiction, primary and appellate, in bankruptcy.

51. State some of the exceptions to persons being made bankrupt.

52. State some of the Acts of bankruptcy.

53. State how an Act of bankruptcy may be obtained by "trader-debtor-summons."

54. State how an act of bankruptcy may be obtained against a trader having the privilege of Parliament.

55. State the amount required for the petitioning creditor's debt, distinguishing the single debt of a creditor; or of two or more creditors being partners; or of two creditors not being partners; or of three or more creditors not being partners.

56. State how, and upon what terms, a trader may obtain an adjudication of bankruptcy against himself.

57. State some of the leading provisions relating to petitions or arrangement under the superintendence and control of the Court of Bankruptcy.

58. State some of the provisions of the 224th and 225th sections of the "Bankrupt Law Consolidation Act, 1849," as to arrangements by deed or memorandum, signed by six-sevenths in number and value of the creditors.

59. Under what circumstances are the assignees of a bankrupt entitled to goods found in the bankrupt's possession, but not belonging to him? Is any, and what, order necessary to vest such goods in the assignees, and how late in the proceedings may such order be obtained?

60. How long must a judgment be entered up before the bankruptcy, to give the judgment creditor a charge upon the bankrupt's real estate as against the assignees?

61. In what cases, other than for want of the legal requisites, can a petition for adjudication of bankruptcy be annulled?

62. Name some of the offences committed by the bankrupt on which the Court shall refuse to grant the bankrupt any further protection from arrest; and also refuse or suspend the bankrupt's certificate.

63. In what cases is the certificate wholly void if obtained?

64. In what cases, at what period, and at what rate, is a bankrupt entitled to an allowance, if his estate pays a certain amount of dividend, and is the scale of such allowance affected by the class of certificate?



## VI. CRIMINAL LAW AND PROCEEDINGS BEFORE JUSTICES OF THE PEACE.

65. State the nature of the jurisdiction of the Court of Queen's Bench with regard to treasons, felonies, and misdemeanours.
66. How can questions of law in criminal cases be submitted to the consideration of the judges?
67. Over what places does the jurisdiction of the Central Criminal Court extend?
68. Before what Court are offences committed at sea to be tried?
69. State the nature and duties of the Courts of Quarter Sessions.
70. What offences are usually tried before the courts of quarter sessions?
71. Are any, and which, of the decisions of the justices at sessions liable to be reviewed in any, and which, of the courts at Westminster, and how?
72. What is the Court of Petty Sessions?
73. State its nature and jurisdiction, and modes of proceeding in it.
74. State what is the general nature of the business transacted at petty sessions.
75. State some of the cases in which a single magistrate has jurisdiction.
76. State some of the cases in which two magistrates have jurisdiction.
77. If magistrates exceed their authority, what is the remedy of the party injured, and what preliminary steps should be taken?
78. What is a writ of mandamus?
79. In what cases is it usually issued?

## LAW STUDENTS' MUTUAL CORRESPONDING SOCIETY.

## SIXTH ANNUAL REPORT OF THE COMMITTEE.

Your committee have pleasure in being enabled to announce in this their sixth annual report, that continued success has attended the operations of the Law Students' Mutual Corresponding Society, and the systematic means of intercommunication between the junior members of the profession which this society introduced, has been placed upon such a basis as cannot fail to render it most beneficial to those who may avail themselves of its advantages.

Your committee feel that to enumerate the many advantages accruing to the law student from mutual intercourse with his fellows would be quite an act of supererogation; but nevertheless they would especially urge the consideration of those advantages upon those articulated clerks who, residing in small country towns, are thereby debarred from participating in its benefits—to this class the society offers great facilities for obtaining an extended knowledge of the law.

It affords much satisfaction to your committee to state that the number of members exhibits a steady increase over previous years, but still considering the large body of law students in the kingdom, they cannot but feel some surprise that so few, comparatively, should have as yet joined the society; but as they consider this is to be attributed to ignorance on the part of the profession, either of the existence or objects of the society, they trust, by the publication of this report, to bring the society more generally before that numerous body for whose benefit it has been established, and that this increased publicity may be followed by a considerable and speedy accession of members.

One case has been especially brought under the notice of your committee, which proves, in a forcible manner, the advantages derived from the discussions; the facts, as reported to your committee, are as follow:—A point in practice was mooted by one of the members—the opinions of the majority of the gentlemen in the section were opposed to the opinion which had been given by counsel, and the mooter brought the discussions under the notice of the solicitor to whom he was articulated, who was thereby induced to take a second opinion, which was favourable, and coincided with the views expressed by the members of the society. The case went to trial, and was decided adversely by Kindersley, V.C. This was appealed against, and the decision reversed by the Lord Chancellor on the same grounds as contended for by the members of the society; and but for that the solicitor in the case would probably have been guided by his first counsel's opinion, and given up the matter as hopeless.

With a view to attract the attention of those members of the profession and their articulated clerks, who are not at present aware

of the existence of this society, your committee think it expedient briefly to advert to its distinguishing features and objects:—

It is designed, first, as a means of friendly intercourse, and for the purpose of engendering feelings of unanimity and friendship amongst articulated clerks throughout the kingdom. Secondly, to supply the wants of a debating society in small towns by affording a medium for the written discussion of moot points on legal subjects, and the composition of essays. And, thirdly, by the same means to furnish opportunities to the student to apply principles to practice, and thus assist him in obtaining a practical knowledge of his profession. And your committee feel justified in asserting that every member, who, actuated by an earnest desire for self-improvement, will give his full attention to the papers of the society, cannot fail to acquire an extensive and varied knowledge of the law.

Your committee would again make an appeal to the members of the profession, soliciting their support to the society, in the capacity of honorary members, as they feel convinced that its objects are worthy of their countenance, and they trust at the close of the year, to have the proud satisfaction of announcing a considerable increase in the present list of honorary members.

With regard to the financial position of the society, your committee feel pleasure in stating that the receipts of the past year have been sufficient to defray all the expenses of working the society, leaving a surplus, which has been carried to the general fund.

(For the Committee),

CHARLES R. GILMAN, Hon. Secretary.

Norwich, May.

COUNTY COURT COMMITMENTS.—A return, moved for by the Attorney-General, from every county court in England, of the number of persons taken to prison under the Act 9 & 10 Vict. c. 95, or any Act amending the same in the year ended the 31st day of December, 1858; specifying in each case the grounds the commitment has been made. It appears that 8,361 persons were committed for default; one for refusing to be sworn; 81 for refusing to answer questions; 69 for contracting debts under false pretences; 19 for transferring property with intent to defraud creditors; 10 for concealment and removing property; and 3,960 for not having satisfied the judgment and costs, having had sufficient means and ability to do so; making in all 11,501 persons committed to prison under civil process, for 237,178 days; the average number of days to each prisoner being 20, and the average number actually passed in prison 17. The total amount remaining due on judgment at time of commitment appears to vary very much with the nature of the case. Thus for ordinary non-appearances, the average is £3 6s. 6d. For refusing to answer questions, £4 6s. 8d. For false pretences, £11 13s. For transferring property with intent to defraud, £15 8s., being the maximum average. For this grave offence, as appears above, there were 19 committed, for an average of 30 days, which in no case was commuted, involving an amount of £292 11s. 10d., at the time of commitment the highest and lowest number of days for which any person was committed being respectively fourteen and forty. For concealment of property 13l. 7s. 5d., involving an amount of 133l. 14s. 5d., with an average of twenty-six days' imprisonment. For not having satisfied the judgment and costs, 4l. 10s. 2d. The returns show that when the cause of commitment has been for false pretence with intent to defraud creditors, the average is about treble the amount of that from other causes, and the commitments and incarceration heavier in the same ratio. Appended to the return are the two sections of the Act 9 & 10 Vict. c. 95, which gives the judge power to commit to prison. The following letter on this very important subject has been addressed to the *Times* by the secretary of the Standing Committee of County Court Judges, with reference to the same matter to which the above returns allude:—

Sir,—With reference to the paragraph in your paper of to-day, respecting county court commitments, I beg leave to inform you that some ten days ago the Lord Chancellor requested the Standing Committee of County Court Judges, appointed under section 33 of the 19 & 20 Vict. c. 106, to institute inquiries into the subject of the imprisonment authorised by the Act 9 & 10 Vict. c. 95, and to report the result to him.

The committee are also asked to extend their inquiries as to whether the facilities afforded by the county courts for the recovery of debts may not unduly encourage the lending of money by loan societies, the running-up of beer scores, and travelling drapers to supply goods to wives in the absence of their husbands, not bedding their station.

I should hope that on the first and most important portion of the inquiry that legislation may be had this session.

I am, Sir, your obedient servant,  
HENRY NICOL, Secretary to the Committee.

Treasury, June 8.

## Court Papers.

## Queen's Bench.

## NEW CASES.—TRINITY TERM, 1859.

## SPECIAL PAPER.

Special Case.	M'Cannan and Others v. Sinclair and Another.
Dem.	Crosley v. Kay.
	Tamvaco v. Lucas and Others.
	NEW TRIAL PAPER.
Middlesex.	Smith v. The Channel Islands Telegraph Company.
	Colston v. Slater (tried during term).
	CROWN PAPER.
Durham.	The Queen v. Joseph Pease.
Manchester.	The Queen v. John Edmundson.
Cambridge.	The Queen v. The Guardians of the Cambridge Union.
Lancashire.	The Queen v. The Overseers of the Widnes.
Staffordshire.	William Ashmore, Appellant; Joshua Horton and Another, Respondents.
Bristol.	John Hearne, Appellant; William Garton and Another, Respondents.

## Common Pleas.

## NEW CASES.—TRINITY TERM, 1859.

## DEMURRER PAPER.

Dem.	Dunncliff and Another v. Birkin and Another.
"	Payne v. The London General Omnibus Company.
"	Behn and Another v. Kemble and Others.
Case.	Notman and Another v. The Anchor Assurance Company.
	NEW TRIAL PAPER.
Middlesex.	Pollen and Wife v. Brewer.
London.	Dingle v. Hare.

## Exchequer of Pleas.

## NEW CASES.—TRINITY TERM, 1859.

## SPECIAL PAPER.

Special Case, by Order of Nisi Prius.	Metcalf and Others v. Hetherington.
"	Barber v. Pott.
"	Russell v. Thornton.
Dem.	Sutton v. Dunford, Executrix, &c.
Special Case, by Order of Baron Bramwell.	Cuthbertson v. Irving.

## NEW TRIAL PAPER.

Middlesex.	Ratson v. King.
"	M'Kay v. Mitchell.
Sittings at Nisi Prius in Middlesex and London, before the Right Hon. Sir FREDERICK POLLOCK, Knt., Lord Chief Baron of her Majesty's Court of Exchequer, after TRINITY TERM, 1859.	

## MIDDLESEX.

Friday, June 17.	Customs and Special Juries.
Saturday, " 18.	Special Juries.
Monday, " 20.	
Tuesday, " 21.	
Wednesday, " 22.	
Thursday, " 23.	Special Juries and Common Juries.
Friday, " 24.	
Saturday, " 25.	
Monday, " 26.	
Tuesday, " 27.	
LONDON.	
Wednesday, June 29.	
Thursday, " 30.	Special Juries.
Friday, July 1.	
Saturday, " 2.	
Monday, July 4.	
Tuesday, " 5.	
Wednesday, " 6.	
Thursday, " 7.	Special Juries and Common Juries.
Friday, " 8.	
Saturday, " 9.	
Monday, " 11.	
Tuesday, " 12.	
Wednesday, " 13.	
Thursday, " 14.	

The Court will sit at 10 o'clock.  
There will be a second Court for the trial of Common Jury Causes when necessary.

**VOLUNTEER RIFLE CORPS.**—More than 100 members of the Inns of Court, have signed a requisition for a meeting to form a volunteer rifle corps. Am ng the names are those of Sir G. J. Turner, L.J.; Sir J. Stuart, V.C.; Sir W. Page Wood; Sir Richard Bethell; the Solicitor-General, and several Queen's Counsel practising at the Chancery Bar, the movement being at present confined to Lincoln's Inn.

It appears that the proceedings lately commenced in Chancery against the Great Northern Railway Company to prevent them from continuing to act as coal-merchants, and thus to avail themselves of their monopoly to crush private trade, have had the effect of inducing them at length to abandon that objectionable, but long-defended, system. The change is to come into operation on the 1st of next month.—*The Times City Article.*

## Births, Marriages, and Deaths.

## BIRTHS.

ABBOTT—On June 6, at West-hill, the wife of F. G. Abbott, Esq., of a son.  
FAWNS—On June 6, at 7 Pembridge-crescent, the wife of J. Anderson Fawns, Esq., of a daughter.  
GARTHE—On May 31, at 44 Upper Bedford-place, Russell-square, the wife of Richard Garth, Esq., of a son.  
GORDON—On June 8, at Gloucester-place, Hyde-park-gardens, the wife of John Gordon, Esq., of a daughter.  
HARRISON—On June 3, at Westbourne-grove, the wife of Charles Harrison, Esq., of a daughter.  
JACOBS—On June 5, at 8 Sunderland-terrace, Bayswater, the wife of Simon Jacobs, Esq., Barrister-at-Law, of a daughter.  
JONES—On June 2, at 40 Craven-hill-gardens, Hyde-park, Mrs. H. Cadman Jones, of a daughter.  
KINGDON—On May 27, at 5 Marlborough-hill-gardens, St. John's-wood, the wife of Paul A. Kingdon, Esq., Barrister-at-Law, of a son.  
KNIGHT—On June 1, at Hendlesham House, Upper Avenue-road, Regent's-park, the wife of Henry Knight, Esq., Solicitor, of Edmonton and Bucklebury, of a daughter.  
LAWFORD—On June 2, at 18 Manchester-square, the wife of Henry Smith Lawford, Esq., of a daughter.  
ORIEL—On June 6, Mrs. Oriel, 35 Alfred-place, Bedford-square, of a son.  
VAUGHAN—On June 4, at 40 Gloucester-terrace, Hyde-park, the wife of James Vaughan, Esq., of a daughter.

## MARRIAGES.

DICKINS—CAUSTON—On June 7, at Stretton-on-Fosse, Warwickshire, by the Rev. William Park Dickins, Esq., of Lincoln's-inn, Fellow of Merton College, Oxford, and eldest son of William Dickins, Esq., of Cherington, Warwickshire, to Catharine Frances, eldest daughter of the Rev. Charles Causton, rector of Stretton.  
HOUSMAN—HALLETT—On June 7, at St. Michael's, Chester-square, by the Rev. James Hughes Hallett, vicar of Petham, Kent, Francis Housman, Esq., of Lincoln's-inn, Barrister-at-Law, to Emma Mary, daughter of the late Charles Roberts, Esq., of the Madras Civil Service, and widow of the late Charles Hughes Hallett, Esq., of the same service.  
TODD—CUSSONS—On June 7, at the Minister, Beverley, by the Rev. J. B. Birwhistle, assisted by the Rev. J. J. Day, Stephen Ellis Todd, Solicitor, Beverley, to Annie Elizabeth, only daughter of Thomas Cussons, Esq., of the same place.

## DEATHS.

ATKINSON—On June 9, in his 75th year, at his residence, the Grove Withington, Lancashire, Fenton Robinson Atkinson, Esq., Solicitor.  
BOSANQUET—On May 31, at Bath, aged 13, Ellen Edith, third and youngest daughter of Samuel R. Bosanquet, Esq., of Forest House, Essex, and Dingestow Court, Monmouthshire.  
COOPER—On June 3, aged 59, Charles Cooper, Esq., Solicitor, Manchester.  
ESKINE—On June 4, at No. 16, Randolph-crescent, Edinburgh, in the 86th year of her age, Mrs. Christian Carruthers, relict of John Erskine, Esq., jun., Advocate, of Alva.  
HARRISON—On June 3, at Castle-hill, Holywell, Jeannette, the wife of Richard Harrison, Esq., Solicitor.  
HOBSON—On May 29, aged 59, at Hale, Westmorland, Mr. John Hobson, Solicitor, formerly of Manchester.  
JELF—On June 4, at his residence, Lowndes-square, after a long illness, George Jelf, Esq., aged 62.  
KNOX—On June 2, at 38, Porchester-square, aged 14 months and 19 days, Jane Carnegie, the only child of William Worsley Knox, Esq.  
SIM—On June 7, at Coombe-wood, in his 47th year, William Sim, Esq., of King's Bench-walk, Temple, the second son of John Sim, Esq., of Coombe-wood, Kingston, Surrey.  
VAUGHAN—On June 2, at Fulham, Thomas Wright Vaughan, Esq., of Woodstone, Huntingdonshire, Magistrate, and late Colonel of the Huntingdonshire Militia, aged 59.

## Unclaimed Stock in the Bank of England.

The Amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—

COWPER, Major-General SPENCER, Charles-street, £70 Long Annuities.—Claimed by HUGH SHIELD, Rev. JOSEPH PRATT, & Rev. JOSEPH MAYOS, acting executors of HENRY COWPER, deceased, who was the surviving executor of SPENCER COWPER.  
HALL, DAVID, Esq., Portland-place, One Dividend on £50,000 Consols.—Claimed by ALEXANDER HALL HALL, the sole executor.  
HENSON, WILLIAM, Shoemaker, Clerkenwell, EDWARD BROWN, Stationer, Carey-street, & EDWARD AINGE, Esq., Lincoln's-inn, £264 : 11 : 8 Consols.—Claimed by MARY ELIZABETH AINGE, Spinster, JULIANA PITCHES AINGE, Spinster, & LOUISA GUNNER, wife of Rev. Edward Gunner, administratrixes de bonis non of EDWARD AINGE, deceased, who was the survivor.  
HILTON, FRANCIS, son, WILLIAM HILTON, & FRANCIS HILTON, Gents., all of Dyer's-hall, £64 : 2 : 8 New 3 per Cents.—Claimed by WILLIAM RICKARD, JAMES HILTON, & SARAH CHALDECOTT, wife of William Chaldecott, surviving executors of WILLIAM HILTON, deceased, who was the survivor.  
M'ADUFFE, ELLEN, Widow, Jamaica-row, Brompton, CORNELIUS M'ADUFFE, Master Mariner, same place, and WILLIAM HENRY M'ADUFFE, Minor, £50 New 3 per Cents.—Claimed by WILLIAM HENRY M'ADUFFE, now of age, the survivor.  
MARON, WILLIAM, Esq., Duke-street, Manchester-square, and THOMAS WELLS, Tailor, Bungle, Suffolk, £22 : 7 : 1 Reduced.—Claimed by THOMAS WELLS, the survivor.  
MONCKTON, Hon. EDWARD, Somerset-hall, Stafford, and Lieut.-General HENRY PILOT, Hertford-st., Mayfair, One Dividend on £106 : 10 : 0 Long Annuities.—Claimed by Lady SELINA BARDMAN, the sole administratrix of the said Henry Pilot, who was the survivor.  
PINDER, RICHARD, jun., Brighton, £30 Consols.—Claimed by RICHARD PINDER (formerly jun.).  
SELBY, THOMAS, Gent., Sergeant's-inn, Fleet-street, £317 : 2 : 10 New Three per Cents.—Claimed by THOMAS SELBY, jointly with WILLIAM SELBY, Esq., the official assignee of his estate.

SEYMOUR, MART, Spinster, formerly at Mr. Cook's, Chapel-row, Bath, £100 New Three per Cents.—Claimed by JOHN BARTHOLOMEW, the surviving executor.

TAUNTON, WILLIAM LEONARD THOMAS FYLE, Barrister-at-Law, and JAMES WATSON, Jun., Attorney-at-Law, both of Bristol, £54 : 14 : 5 Reduced.—Claimed by JAMES WATSON (formerly junior), the survivor.

TYLER, ELIZABETH, Spinster, Loughton, Essex, £700 Reduced.—Claimed by ELIZABETH TYLER.

WHARTON, SARAH, Widow, Aberford, Yorkshire. One Dividend on £5,300 3d per Cents.—Claimed by WILLIAM LLOYD WHARTON, the acting executor.

### Deaths at Law and Next of Kin.

Advertised for in the London Gazette.

GOODALL, CHARLES WILLIAM, Surgeon, Shanghai, China (who died on or about January 28, 1889.) Goodall & others v. Goodall & others, M.R., Jan. 1.

MORRIS, SARAH, Widow of William Morris, Farmer, Little Marlow, and formerly SARAH SIMMONS, Spinster (who died on or about December 16, 1887.) Hopkins v. Simms, M.R., June 30.

### English Funds.

ENGLISH FUNDS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Bank Stock .....	220	220 19	221 21	220	221	219
5 per Cent. Red. Ann. ....	92	92	92	92	92	92
3 per Cent. Cons. Ann. ....	93 3	92	93	93	93	93
New 3 per Cent. Ann. ....	92 1	91 2	92	92	92	92
New 2 1/2 per Cent. Ann. ....	..	..	..	77 8	..	..
5 per Cent. Ann. ....	..	..	..	..	..	..
Long Ann. (exp. Jan. 5, 1890) .....	..	..	..	..	..	..
Do. 30 years (exp. Jan. 5, 1890) .....	..	..	..	..	..	..
Do. 30 years (exp. Apr. 5, 1895) .....	..	..	17	17 13-16	17 11-16	..
India Stock .....	..	..	..	..	..	..
India Loan Debentures .....	94	94	94	94	94	94
India Loan Scrip. ....	93	..	93	93	93	93
India Bonds (£1,000) .....	..	9s d	..	3s d	..	5d
Do. (under £1000) .....	..	8s 9s d	10s 3d	7s 3s d	6s 2d	..
Consols for account .....	93 3/4	92 3/4	..	93 4	93 3/4	93 3/4
Exch. Bills (£1000) Mar. 18822s p	22s p	22s p	22s 23s p	18s 23s p	20s p	23s p
Exch. Bills (£500) Mar. 22 18s p	22s p	22s p	24 25s p	22s p	..	..
Exch. Bills (Small) Mar. 18s 22s p	22s p	22s p	24s p	..	..	..
Exch. Bonds .....	..	..	..	..	..	..
Exch. Bonds, 1858, 2 1/2 per Cent. ....	..	..	..	..	..	..
Exch. Bonds, 1858, 2 1/2 per Cent. ....	..	..	..	..	..	..
Exch. Bonds, 1858, 2 1/2 per Cent. ....	..	..	..	..	..	..
Exch. Bonds, 1858, 2 1/2 per Cent. ....	..	..	..	..	..	..

### Railway Stock.

RAILWAYS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Birk. Lan. & Ch. June. ....	90 1/2	90	..	..	..	..
Bristol and Exeter .....	77 1/2	78	78 1/2	78	78	78 1/2
Calderdale .....	..	46	..	..	..	..
Chester and Holyhead .....	13	..	..	13	..	13
East Anglian .....	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2
Eastern Counties .....	..	..	..	..	..	..
Eastern Union A. Stock .....	..	..	..	..	..	..
Exch. B. Stock .....	..	..	..	..	..	..
East Lancashire .....	85 86 1/2	..	..	..	..	..
Edinburgh and Glasgow .....	71 73	..	..	..	..	..
Edin. Perth, and Dundee .....	25	..	..	25	..	25
Glasgow & South-Westn. .....	..	99 100	..	99	..	100
Great Northern .....	..	80 82	81 1/2	..	..	..
Great Northern A. Stock .....	..	..	..	..	..	..
Great Northern B. Stock .....	..	..	..	..	..	..
Gt. South & West. (Ire.) .....	104 6	..	..	105	..	105
Great Western .....	53 1/2	53 1/2	54 3/4	53 1/2	53 1/2	53 1/2
Do. Stour Vly. G. Stk. ....	87 1/2	88 1/2	88	..	88	88 1/2
Lancashire & Yorkshire .....	109 1/2	109 1/2	109 1/2	109 1/2	109 1/2	109 1/2
Lon. Brighton & S. Coast .....	88 1/2	88 1/2	88 1/2	88 1/2	88 1/2	88 1/2
London & North-Westn. ....	89 1/2	89 1/2	89 1/2	89 1/2	89 1/2	89 1/2
London & South-Westn. ....	34 1/2	34 1/2	34 1/2	34 1/2	34 1/2	34 1/2
Man. Sheff. & Lincoln. ....	97 6 1/2	97 1/2	97 1/2	97 1/2	97 1/2	97 1/2
Midland .....	..	..	..	73	..	73
Do. Birmingham & Derby .....	..	..	..	84 1/2	85	84 1/2
Norfolk .....	53 1/2	..	..	54 1/2	54 1/2	54 1/2
North British .....	86 1/2	86 1/2	86 1/2	86 1/2	86 1/2	86 1/2
North-Eastern (Breck.) .....	71	70 1/2	70 1/2	71 1/2	71 1/2	71 1/2
Do. Leeds .....	..	..	..	..	..	..
Do. York .....	29 30	29 1/2	..	..	..	..
North London .....	..	..	..	..	..	..
Oxford, Worw. & Wolver. ....	..	..	..	..	..	..
Scottish Central .....	..	..	..	..	..	..
Scott. N.E. Aberdeen Stk. ....	..	..	..	..	..	..
Do. Scotch. Mid. Stk. ....	..	..	..	..	..	..
Shropshire Union .....	42	..	41 1/2	..	..	..
South Devon .....	64 1/2	64 1/2	65	64 1/2	64 1/2	64 1/2
South-Eastern .....	..	..	..	..	..	..
South Wales .....	..	..	..	..	..	..
Yale of Meath .....	..	..	..	67	65	..

### Estate Exchange Report.

(For the week ending June 7th, 1889.)

AT THE MART.—By Messrs. NORTON, HOGGART, & TRIST.  
Freehold Ground-rent of £50 per annum, with reversion in 1932, arising from No. 14, Philpot-lane, Fenchurch-st.—Sold for £1,275.  
Freehold Ground-rent of £80 per annum, with reversion in 1936, secured on a printing establishment, Fetter-lane, Fleet-street.—Sold for £2,120.  
Freehold Ground-rent of £136 per annum, with reversion in 1936, secured upon the Mitre Tavern, No. 125, Chancery-lane.—Sold for £3,500.  
Freehold Ground-rent of £140 per annum, with reversion in 1936, secured upon premises known as "The Law Union Fire and Life Office," No. 126, Chancery-lane.—Sold for £3,530.

By Messrs. HASLAM & BUCKLAND.

Copyhold Residence, Garden, and Premises, in the village of Petersham, near Richmond, Surrey, subject to an annual quit-rent of 1s. 6d.—Sold for £530.  
Freehold Estate, No. 2, Great St. Thomas Apostle, Queen-street, Cannon-street West, comprising the Catholic chapel and schools.—Sold for £1,630.

By Messrs. EVERFIELD & HORNE.

The Lease, Plant, Machinery, &c., of "The Mixon Great Consol Copper Mine," at Leek, Staffordshire.—Sold for £1,500.

By Mr. C. FURBER.

Leasehold House and Shop, No. 7, Clarendon-square, Camden-town; held for an unexpired term of 22 years from Midsummer next, at a ground-rent of £5 per annum; let at £20 per annum.—Sold for £156.  
Leasehold Dwelling-house, No. 41, Henry-street, Hampstead-road; let at £21 : 2 : 0 per annum; held for an unexpired term of 27 years from 2nd Midsummer next; ground-rent, £4 per annum.—Sold for £235.  
Freehold Dwelling-house and Garden, Gurney-road, West Ham, Essex; let at £20 per annum.—Sold for £375.  
Leasehold Premises, known as "The Western-wharf," Regent's canal-basin, comprising house, stabling, two shops, crane, &c.; let at £106 per annum; term, 21 years from Lady-day, 1899; ground-rent, £70.—Sold for £250.  
Leasehold Houses, Nos. 6 & 7, Miller-street, Arlington-street, Hampstead-road; let at £35 : 18 : 0 per annum; term, 44 years from Michaelmas last; ground-rent, £7.—Sold for £190.  
Leasehold Premises, No. 57, Skinner-street, Snow-hill.—Sold for £20.  
The Reversion to £2,150 and £150, payable on the death of a lady, aged 64.—Sold for £1,040.  
Seventy-five Shares of £100 each (£2 10s. paid) in the Law Fire Office.—Sold at from £4 : 2 : 6 to £4 : 5 : 0 per share.  
Twenty £50 Shares (£2 10s. paid) in the Westminster & General Life Assurance Society.—Sold for £117 : 10 : 0.  
Twenty similar Shares.—Sold for £112 : 10 : 0.  
Twenty Shares of £10 each (all paid), in the London and Westminster Steamboat Company.—Sold at £6 : 17 : 6 per share.

By Messrs. V. J. COLLIER & A. THOMAS.

Leasehold Houses (including four shops), Nos. 1 to 24, Lacey-terrace, and Nos. 1 to 12, Edward-street, Penton-place, Waiworth, producing about £1,150 per annum; held for 84 years, at ground-rent of £163 per annum.—Sold for £7,720.  
Leasehold Residence, No. 3, New Dorset-place, Clapham-road; let at £42 per annum; term, 35 1/2 years from Midsummer next; ground-rent, £7 : 7 : 0.—Sold for £450.

By Messrs. PULLEN & SON.

The State or Pleasure Barge known as the "Maria Wood," with all her fittings, stores, &c.—Sold for £410.

By E. SMITH & CO.

Freehold Family Residence and Grounds, 38a, 2r. 3p., "Pinner Grove," Harrow.—Sold for £7,000, including furniture, fixtures, &c.

By Messrs. PETER BROAD & FRITHCHARD.

A Policy for £2,000 in the Norwich Union Office, on the life of a lady in her 76th year, effected in 1818.—Sold for £1,930.

AT GARRAWAY'S.—By Messrs. SPILMAN & SPENCE.

Copyhold Villa Residence, Wanstead, Essex.—Sold for £360.  
Lease & Goodwill of the Antelope Tavern, Lorn-road, North Brixton, with stables & coach-houses adjoining; the tavern is held for 85 years from 25th March, 1840, at £50 per annum; the yard & stables for 84 years, from September, 1842, at £30 per annum; the stables are let at £63 per annum.—Sold for £2,710.

By Mr. MURRELL.

Freehold Houses, Nos. 18 & 19, St. John's-square, Clerkenwell; let at £151 per annum.—Sold for £2,180.  
Freehold House and Shop, No. 2, Caledonian-place, Caledonian-road; let on lease for 21 years from June, 1850, at £35 per annum.—Sold for £300.  
Freehold Houses, Nos. 47 & 48, Great Cambridge-street, Hackney-road; let at £20 per annum.—Sold for £250.  
Freehold House, No. 49, Great Cambridge-street; let at £23 : 8 : 0 per annum.—Sold for £290.  
Freehold Ground-rent, of £5 : 5 : 0 per annum, arising out of No. 30, Great Cambridge-street, Hackney-road.—Sold for £120.  
Freehold Ground-rent of £33 per annum, arising from Nos. 73 to 74, Great Cambridge-street.—Sold for £775.  
Leasehold House, No. 6, Merdith-street, Clerkenwell; let at £38 per annum; term, 10 years from March, 1819; ground-rent, £4.—Sold for £280.  
Leasehold House, No. 7, Merdith-street; let at £42 per annum; same term, free of ground-rent.—Sold for £320.  
Leasehold, No. 8, Merdith-street; let at £26 per annum; same term, &c.—Sold for £275.  
Leasehold improved Ground-rent, £17 per annum, arising from Nos. 25, 34, & 35, Skinner-street; same term as preceding.—Sold for £235.  
Leasehold improved Ground Rent, £13 per annum, arising from Nos. 33 & 36, Skinner-street, same term.—Sold for £180.



Leasehold Improved Ground Rent, £13 per annum, secured upon Nos. 37 & 38, Skinner-street, same term.—Sold for £170.  
 Leasehold House & Shop, No. 31, Meredith-street, same term, free of ground-rent, let at £44 per annum.—Sold for £460.  
 Leasehold House, No. 4, Gloucester-street, let at £23 per annum, same term, &c.—Sold for £315.  
 Leasehold House, No. 5, Gloucester-street, let at £34 per annum, same term, &c.—Sold for £315.  
 Leasehold Residence, No. 6, Gloucester-street, let at £30 per annum, same term, &c.—Sold for £360.  
 Leasehold Houses, Nos. 43 & 44, Skinner-street, let at £42 per annum, same term, &c.—Sold for £475.  
 Leasehold Improved Ground Rent, £4 per annum, arising from Nos. 42 & 41½, Skinner-street, same term.—Sold for £40.  
 Leasehold Improved Ground Rent of £15 : 10 : 0 per annum, arising from Nos. 60, 61, & 62, Whiskin-street, same term.—Sold for £170.  
 Leasehold Improved Rent of £14 per annum, arising from Nos. 5 & 12, Meredith-street, & No. 10, Skinner-street, term, 58 years from March, 1830.—Sold for £155.

By FRANCIS FULLER & Co.

Freehold Houses & Shops, Nos. 105 & 106, Blackman-street, Borough.—Sold for £910 & £1,220 respectively.

By Mr. LOUND.

Lease & Goodwill of the Chester Arms Public House, corner of Chester-terrace, Eaton-square, term, 11 years from Michaelmas last, rent, £100 per annum.—Sold for £1,670.

By Mr. DANIEL CROBIN.

Leasehold Houses and Builder's Premises, Nos. 36 & 37, Lisson-grove North; value, £130 per annum; term, 43½ years from Lady-day, 1859, at a rent of £263 per annum.—Sold for £480.  
 Freehold, Two Houses and Shops, Eleven Tenements, &c., Foundry-yard, Hammer-smith.—Sold for £800.  
 Copyhold House, Shop, &c., corner of Albion-road; let at £30 per annum.—Sold for £540.  
 Copyhold Residences, Nos. 3 to 13, Albion-road; let on lease at £13 : 10 : 0 per annum.—Sold for £425.  
 Copyhold Residence, with Building Land adjoining, No. 9, Gomme's-road; let at £16 per annum.—Sold for £330.

By Messrs. PRICE & CLARK.

Leasehold Residence, with stables, &c., No. 8, York-place, Portman-square; let on lease at £190 per annum; term, 29 years (less 5 days) from Lady-day, 1859; ground-rent, £26 : 5 : 0 per annum.—Sold for £1,230.  
 Leasehold Residence and Stabling, No. 37, Devonshire-place; let on lease at £180 per annum; term, 29 years from Lady-day, 1859; ground-rent, £19 : 2 : 0.—Sold for £1,570.  
 Leasehold Residence, No. 39, Portland-place, with stabling, &c., No. 25, Devonshire Mews East; let on lease at £200 per annum; term, 16½ years from Lady-day, 1859; ground-rent, £36 per annum.—Sold for £1,540.  
 Leasehold Residence, No. 17, Baker-street, with stable, &c., in rear; let on lease at £160 per annum; term, 29 years from Lady-day, 1859; ground-rent, £15.—Sold for £1,380.  
 Leasehold House, No. 55 (late No. 12), Market-street, Paddington; term, 93 years from Michaelmas, 1839; ground-rent, £5 per annum.—Sold for £250.  
 A Renter's Share in the Theatre Royal Drury-lane.—Sold for £54.  
 123 Proprietor's Shares of £100 each (all paid) in the Theatre Royal, Drury-lane.—Sold in 24 lots for £326 : 10 : 0.

By Mr. BRIANT.

Leasehold Residence, Derwent Villa, Brixton-road, Surrey, let at £80 per annum; term, 91 years from 24th June next; ground-rent, £10.—Sold for £380.  
 Leasehold Residence, Meaburn Lodge, Brixton-road, let at £95 per annum; term, 91 years from 24th June next; ground-rent, £11 per annum.—Sold for £4,010.  
 Leasehold Residence, St. John's Villas, Brixton-road, let at £105 per annum; term, 91 years from 24th June next; ground-rent, £14 per annum.—Sold for £1,080.  
 Copyhold, Durham House, and No. 10, Upper Kennington-lane, Vauxhall, also a copyhold ground-rent of £35 : 12 : 6 per annum, arising from Nos. 34 to 40, Durham-street.—Sold for £1,920.  
 Copyhold Houses, Nos. 8, 9, & 10, Kennington-place, Kennington-park, let at £46 : 16 : 0 per annum.—Sold for £350.  
 The Lease of Camberwell Wharf, with 4 Dwelling Houses, &c., term, 22 years unexpired; rent, £53 per annum. Sold for £300.  
 Leasehold Residences, Nos. 1 & 2, Denmark-street, Cold Harbour-lane, Camberwell, let at £37 per annum; term, 42 years from Midsummer, 1859; ground-rent, £10.—Sold for £170.  
 Leasehold Residences, Nos. 3 & 4, Denmark-street, let at £36 per annum; same term, &c.—Sold for £170.  
 Leasehold Residences, Nos. 5 & 6, Denmark-street, let at £36 per annum; same term, &c.—Sold for £170.  
 Leasehold Residences, Nos. 7 & 8, Denmark-street, let at £43 per annum; same term, &c.—Sold for £190.

By Mr. THOMAS FRY.

Lease & Goodwill of the Old King's Head, Blackfriars-road, term, 26 years from Michaelmas, 1838; rent, £160 per annum.—Sold for £4,300.

## London Gazettes.

### Commissioners to administer Oaths in Chancery.

FRIDAY, June 10, 1859.

BASHAM, GEORGE, Gent., Aldborough, Suffolk.  
 CUTTS, JOHN, Gent., Chesterfield, Derbyshire.  
 THISTON, JOHN HOWELL, Gent., Fortrose-ter., Kentish-town.

## Perpetual Commissioners for taking the Acknowledgments of Married Women.

TUESDAY, June 7, 1859.

FRESTON, WILLIAM ANTHONY, Gent., Stroud, Gloucestershire.  
 PARROTT, JOSEPH, Gent., Aylesbury.

FRIDAY, June 10, 1859.

BENHAM, EBENEZER, Gent., Essex-st., Strand.

## Professional Partnerships Dissolved.

TUESDAY, June 7, 1859.

TIMBRELL, WILLIAM, & WILLIAM SUTTON PAGE, Attorneys, Solicitors & Conveyancers, Bradford-on-Avon, Wilts (Timbrell & Page.) May 21.  
 TOZER, JOHN CHAPPELL, JOHN WHIDBORNE, JOHN HENRY MACKENZIE, JOHN HELLIER TOZER, & THOMAS SHIRLEY HELE, Attorneys & Solicitors, Teignmouth, Devon (Tozer, Whidborne & Co.); by mutual consent. May 31.

## Bankrupts.

TUESDAY, June 7, 1859.

ACOCK, JOHN, Builder, Winchcomb-st., Cheltenham. Com. Hill: June 20 and July 18, at 11; Bristol. Off. Ass. Acraman. Sol. Phillips, Cheltenham. Pet. June 6.  
 BANTON, WILLIAM, Hosier, 25 Martin's-le-Grand, and 64 Long-lane, West Smithfield. Com. Goulburn: June 23, at 12; and July 25, at 11; Basinghall-st. Off. Ass. Nicholson. Sols. Stevens & Tatchell, 6 Queen-st., Cheapside. Pet. June 3.  
 FRAMPTON, GEORGE, Tailor, 84 Harrow-rd., Paddington. Com. Holroyd: June 21 at 2:30; and July 19, at 11; Basinghall-st. Off. Ass. Lec. Sol. Huson, 4 King-st., Cheapside. Pet. June 6.  
 HAYES, WESLEY, Boot & Shoe Manufacturer, Kingston-upon-Hull. Com. Ayton: July 23 & 27, at 12; Leeds. Off. Ass. Carrick. Sols. Wells & Smith, Kingston-upon-Hull. Pet. May 27.  
 HEAPS, THOMAS, Silk Throwster, Macclesfield. June 24, and July 15, at 12; Manchester. Off. Ass. HERNIMAN, Sols. Parrott, Colville, & May, Macclesfield. Pet. May 27.  
 VILLEBLANCHE, SAMUEL, Hosier, Baldwin's-gar., Leather-lane. Com. Goulburn: June 23, at 12; and July 25, at 11; Basinghall-st. Off. Ass. Nicholson. Sols. Reed, Langford, & Marsden, Friday-st. Pet. June 4.  
 WITHERS, JOHN, Jeweller, Birmingham. Com. Sanders: June 18, and July 8, at 11; Birmingham. Off. Ass. Whitmore. Sols. James & Knight, Birmingham. Pet. June 3.

FRIDAY, June 10, 1859.

BAILEY, THOMAS, Wine & Spirit Merchant, Shrewsbury. Com. Sanders: June 30 and July 18, at 11; Birmingham. Off. Ass. Kinnear. Sols. Shaen & Grant, Kennington-cross; or James & Knight, Birmingham. Pet. June 2.  
 BOWACK, WILLIAM, Builder, 93 Paul-st., Finsbury, and Seven Sisters-rd., Holloway. Com. Fane: June 24, at 1; and July 22, at 2; Basinghall-st. Off. Ass. Kinnear. Sols. Harrison & Lewis, 6 Old Jewry. Pet. June 5.  
 BULL, GEORGE OSMAN, Linendraper, 1 & 2 Wellington-pl., Holloway. Com. Evans: June 23, at 1; and July 21, at 12; Basinghall-st. Off. Ass. Bell. Sols. Pocock & Poole, Bartholomew-close. Pet. June 7.  
 CORLESS, RICHARD, Grocer, Liverpool. Com. Perry: June 20 and July 11, at 11; Liverpool. Off. Ass. Morgan. Sol. Statham & Cotton, 48 Castle-st., Liverpool. Pet. June 7.  
 EMPSON, GEORGE, Licensed Victualler, Manning-st., Edgeware-rd. Com. Evans: June 23, at 11:30; and July 21, at 2; Basinghall-st. Off. Ass. Johnson. Sol. Flavell, 21 Bedford-row. Pet. June 9.  
 FRAMPTON, GEORGE, Tailor, 84 Harrow-rd., Paddington. Com. Holroyd: June 21, at 2:30; and July 19, at 11; Basinghall-st. Off. Ass. Lec. Sol. Huson, 4 King-st., Cheapside. Pet. June 6.  
 GOODALL, JOHN, Timber Merchant, Belmont Wharf, York-rd., King's-cross. Com. Goulburn: June 23, at 1; and July 25, at 12; Basinghall-st. Off. Ass. Pennell. Sol. Silvester, 18 Great Dover-st., Newington, Surrey. Pet. June 8.  
 GREEN, CHRISTOPHER THOMAS, Oil and Colourman, 39 Colet-pl., Commercial-rd., St. George's East. Com. Goulburn: June 23, at 11; and July 25, at 1; Basinghall-st. Off. Ass. Nicholson. Sol. Rose, 19 Change-alley, Cornhill. Pet. June 9.  
 HUGHES, HENRY NELSON, Joiner, Droughton, Denbighshire. Com. Perry: June 21 and July 19, at 11:30; Liverpool. Off. Ass. Casanova. Sols. Bremner, Liverpool; Lewis, Wrexham. Pet. May 5.  
 JOHNSON, BENJAMIN, Builder, Epworth, Lincolnshire. Com. Ayton: June 22 and July 27, at 12; Kingston-upon-Hull. Off. Ass. Carrick. Sols. Smith & Atkinson, Doncaster; or Bond & Barwick, Leeds. Pet. June 4.  
 KNIGHT, LAURENCE, Wine Merchant, Mark-lane. Com. Holroyd: June 24, at 2; and July 26, at 1; Basinghall-st. Off. Ass. Edwards. Sol. Baker, 34 Lane-st. Pet. Feb. 9.  
 MARSHALL, CHARLES, Printer, Devonport. June 7. Com. Andrews: June 21, and July 19, at 1; Plymouth. Off. Ass. Hirtzel. Sols. Best & Randall, Devonport; Hartnoll, Exeter. Pet. June 7.  
 MORTON, JOHN LOCKHART, Merchant, 8 Finch-lane. Com. Evans: June 23, at 1:30, and July 21, at 1; Basinghall-st. Off. Ass. Bell. Sols. J. & W. Galsworthy, 12 Old Jewry-chambers. Pet. June 8.  
 STONES, JOHN CHARLES, & JOHN SAWYER, Tool Manufacturers, Sheffield. Com. West: June 25, and July 23, at 10; Sheffield. Off. Ass. Brewin. Sol. Webster, 14 St. James's-row, Sheffield. Pet. June 7.  
 SHEBORN, HENRY CHARLES, Grocer, Abingdon. Com. Fonblanque: June 22, at 12:30, and July 20, at 1; Basinghall-st. Off. Ass. Stansfield. Sols. Fore & Lloyd. Pet. June 7.  
 TOWLE, MARK, Lace Manufacturer, Lenton, Nottingham. Com. Sanders: June 21 and July 19, at 11; Nottingham. Off. Ass. Harris. Sol. Wells, Nottingham. Pet. June 7.

## MEETINGS FOR PROOF OF DEBTS.

TUESDAY, June 7, 1859.

BRAIN, GEORGE, Grocer, St. George, Gloucestershire. June 30, at 11; Bristol.

ELIAS, THOMAS, Brick Maker, Tynaur, Glamorganshire. June 30, at 11; Bristol.

GOLLAND, WILLIAM CLARK, Linendraper, Cambridge. June 29, at 11.30; Basinghall-st.

GRAYDON, CHARLES, Ship Chandler, St. Ann's-pl., Limehouse. June 29, at 12.30; Basinghall-st.

GREENING, BENJAMIN, Manufacturer of Wire Fencing, Manchester (Benjamin Greening & Co.) June 22, at 12; Manchester.

LEAKE, THOMAS, jun., Upholsterer, Nottingham. June 28, at 11; Nottingham.

LIMBERT, WILLIAM, Grocer, High-street, Dunstable. June 29, at 1.30; Basinghall-st.

MEXARS, JOE WILLIAM, Chemist, Croydon. June 29, at 11; Basinghall-st.

POOLE, STEPHEN, Timber Dealer, 8 Windmill-st., Lambeth-walk, and 44 Chester-st., Kennington-lane. June 29, at 2; Basinghall-st.

PUTCHARD, WILLIAM, Builder, Bushey Heath, Hertfordshire. June 29, at 1; Basinghall-st.

RUSSELL, JAMES, jun., Stationer, 80 Aldersgate-st. June 28, at 12.30; Basinghall-st.

SCOTCH, JOHN FOULDS, Lace Manufacturer, Nottingham. June 28, at 11; Nottingham.

WALLER, WILLIAM HENRY, Scrivener, 7 John-st., Adelphi. June 28, at 11; Basinghall-st.

WATKINS, JOHN, Shoemaker, Crickhowell, co. Brecon. July 7, at 11; Bristol.

WELLS, ROBERT, Wholesale Tea Dealer, Bristol, and Newport, Monmouthshire, and Cardiff (Wells, Russell, & Co.) July 1, at 11; Bristol.

WILSON, BENJAMIN, Money Scrivener, 16 Gresham-st. June 28, at 12; Basinghall-st.

## FRIDAY, June 10, 1859.

BARNES, WILLIAM, Miller, Vidale Mill, Cumberland. July 5, at 11; Newcastle-upon-Tyne.

COLE, JOHN, Cabinet Maker, Westgate-st., Gloucester. July 1, at 11; Bristol.

GRIDWILL, WILLIAM, Plumber, Monkfrystone, Yorkshire. July 1, at 11; Leeds.

HAMMOND, ROBERT, Builder, Epsom. July 4, at 11; Leeds.

HARROP, WILLIAM, & HENRY TATHAM, Worsted Manufacturers, Cullingworth, Yorkshire (Harrop & Tatham.) July 1, at 11; Leeds.

INCE, JOHN, Apothecary, 3 Wilton-st., Grosvenor-pl. (Ince & Son.) June 30, at 11; Basinghall-st.

MELTON, JAMES, Money Scrivener, Ashton-under-Lyne. July 1, at 11; Manchester.

OVERHEIM, CHARLES FOX, Master Mariner, 6 John-st., Minorities. July 2, at 11; Basinghall-st.

PARKINSON, WILLIAM, Worsted Spinner, Bradford. July 1, at 11; Leeds.

ROSE, JOHN, Ship Owner, 5 Brunswick-ter., Commercial-rd. East. July 4, at 1; Basinghall-st.

WINE, JOHN, & GEORGE EDWARD WEBSTER, Coopers, 12 New Weston-st., Southwark (Wise & Webster.) July 4, at 12; Basinghall-st.

## CERTIFICATES.

To be ALLOWED, unless Notice be given, and Cause shown on Day of Meeting.

## TUESDAY, June 7, 1859.

BURKE, JAMES TERNHAM, Hat Manufacturer, 10 Frederick-pl., Old Kent-road. June 30, at 11; Basinghall-st.

CAPTER, ISAAC GEORGE, Shoe Manufacturer, Close, St. Simon's, Norwich (G. Capter & Co.) June 28, at 1; Basinghall-st.

CRANFORD, HENRY, Tailor, Monument-rd., Great Yarmouth. June 30, at 11; Basinghall-st.

DURRILL, JOSEPH, & GEORGE GREENACRE, Millers, Briggate Mills, North Walsham, Norfolk. June 28, at 2; Basinghall-st.

FORS, ROBERT, Grocer, 29 Boundary-rd., St. John's-rd., also Oil & Colourmen, 7 High-st., Marylebone. June 29, at 12; Basinghall-st.

GRANET, THOMAS, & JOHN JACOBS, Tailors, Dover-pl. West, Dover-rd., and Mount-pl., Walworth-rd. (Garney & Jacobs.) June 29, at 12; Basinghall-st.

JONES, ROBERT, Grocer, Mill-st., Toxteth-park, Liverpool. June 30, at 12; Liverpool (and not 21st, as advertised); at 12; Liverpool.

PARKINSON, WILLIAM, Grocer, Liverpool. June 30, at 12; Liverpool.

PERRY, EDWARD WILLIAM, Merchant, 3 Fenchurch-bldgs. June 28, at 2; Basinghall-st.

PLATT, SARAH HOLDEN, Sailmaker, formerly of Salthouse-bldgs., Liverpool, also of Commercial-rd. East, and Seapenny-gate, now of 379 Strand (Splatt, Black, & Co.) June 28, at 1; Basinghall-st.

STEVENS, FRANCIS WOBALL, Dealer in Shares, 3 Royal Exchange. June 29, at 11; Basinghall-st.

VENABLES, GEORGE HENRY, Paper Maker, Clapton's Mills, near Beaconsfield, Bucks. June 30, at 2; Basinghall-st.

WILKINSON, WILLIAM, Licensed Victualler, George Inn, Maidstone. June 30, at 11.30; Basinghall-st.

## FRIDAY, June 10, 1859.

BARNES, WILLIAM, Uldale Mill, Cumberland. July 5, at 12; Newcastle-upon-Tyne.

BENTON, MARK, & JOHN BENTON, Joiners, both of Leeds (M. & J. Benton.) July 1, at 11; Leeds.

BRINGS, ALFRED, Builder, Sheffield. July 2, at 10; Sheffield.

COLEY, JOHN, Cabinet Maker, Westgate-st., Gloucester. July 5, at 11; Basinghall-st.

COWARD, MATTHEW HENRY, & CHARLES BACKE, Licensed Brewers, St. George's-rd., Southwark. June 30, at 12; Basinghall-st.

HENCHLEY, RICHARD, HIKESON BLOUNT, WILLIAM SMITH, & GEORGE SMITH, Timber Merchants, HIKESON, Derbyshire. July 5, at 11; Nottingham.

HOVE, WILLIAM, sen., Greengrocer, 6 & 7 William-st., Lison-grove. July 1, at 1; Basinghall-st.

LATCH, JOHN, Ship Broker, in copartnership with James Nelson Knapp & Sydney Dan Jenkins, Newport, Monmouthshire. July 5, at 11; Bristol.

LEWIS, JAMES DREW, Mercer, late of Horsham, Sussex, now of Leicester. July 5, at 11; Nottingham.

ROGERS, HENRY JAMES VANCELORE, and ALFRED GLADSTONE, Ship and Insurance Brokers, 24 Billiter-st. (Rogers, Gladstone, & Co.) July 2, at 12; Basinghall-st.

HAMPSON, JAMES, Picture Dealer, 10 Park-st., Bristol. July 4, at 11; Bristol.

SMITH, JOHN, & SAMUEL CLAY OSBROFT, Lace Manufacturers, Nottingham (Smith & Osbrot.) July 5, at 11; Nottingham.

SPAWTON, WILLIAM, JOHN HILL, STEPHEN RICHARD OWEN, & JULIEN ROULENS, Curtains, Northampton. July 2, at 11.30; Basinghall-st.

TAYLOR, WILLIAM JAMES, Chemist, North Shields. July 4, at 12.30; Newcastle-upon-Tyne.

TIBBS, WILLIAM, Leather Manufacturer, Kettton, Rutlandshire. July 2, at 11.30; Basinghall-st.

TURNER, WILLIAM, Sailmaker, North Shields. July 5, at 12.30; Newcastle-upon-Tyne.

WYNN, WILLIAM NATHANIEL, Auctioneer, 3 Thornton-row, Greenwich. July 2, at 11; Basinghall-st.

YOUNGMAN, THOMAS PAUL, Commission Agent, Nottingham. July 5, at 11; Nottingham.

To be DELIVERED, unless APPEAL be duly entered.

## TUESDAY, June 7, 1859.

BRAGO, JAMES, Timber Merchant, Devonshire-villas, Lower-rd., Rotherhithe. June 3, 3rd class.

CRITTENDEN, FRANCIS, Surgeon, 1 St. John's-pk.-villas, Upper Holloway. June 3, 2nd class.

COLLINS, JOHN, Plumber, Beccles, Suffolk. May 23, 3rd class.

DRELEY, JOSEPH, Beerseller, Alma-st., Aston, Warwickshire. June 6, 3rd class.

HUNT, JAMES, Miller, Warwick. June 6, 3rd class.

HUNT, JOHN WILLIAM ROWE, Watchmaker, 20 Bedford-st., Plymouth. May 26, 2nd class.

NEWBY, JOHN COOPER, Pork Butcher, Wolverhampton. June 6, 3rd class.

TEBBUT, JAMES, jun., Cattle Dealer, Yeading Hayes, Middlesex. May 23, 3rd class, subject to a suspension of 6 months.

WARBURTON, GEORGE, & JOHN OLMSTERS, Silk Brokers, Manchester (Warburton & Olmsther.) June 1, 2nd class, after a suspension of 12 months.

WEBB, JOHN, Butcher, Reading. June 3, 2nd class.

WERN, ROBERT, Apothecary, Carnboro'-house, East India-rd. May 25, 1st class.

WRIGHT, JOHN, & SAMUEL STRINGER, Woollen Cloth Merchants, Bank Mill, Loughlight, Manchester. June 1, 2nd class, after a suspension of 3 months.

## FRIDAY, June 10, 1859.

CORNISH, WILLIAM, & ANDREW CORNISH, Builders, Birmingham. May 30, 3rd class.

HUGGINS, FRANCIS WITTON, & CHARLES WITTON HUGGINS, Wine and Spirit Merchants, Derby. May 31, 2nd class.

INCE, JOHN, Apothecary, 3 Wilton-street, Grosvenor-place (Ince & Son.) June 9, 2nd class.

LOWE, HENRY, Fruiterer, Birmingham. May 30, 3rd class, after one month's suspension.

WOMERSLEY, GEORGE, Hatter, Derby. May 31, 1st class.

## Assignments for Benefit of Creditors.

## TUESDAY, June 7, 1859.

GILPIN, EDWARD, Tea Dealer, Oldham, Lancaster. June 1. Trustees, G. Robinson, Tea and Coffee Merchant, St. Ann's-sq., Manchester; W. Vernon, Hop Merchant, Manchester. Sol. Ponsobny, Oldham.

HARDING, JAMES, China and Glass Dealer, High-st., Camden-town. May 31. Trustees, J. Greatbatch, Commission Agent, Holborn-hill. Sol. Todd, 6 Batdri's-lane.

JONES, JOHN HAYWOOD, Corn Dealer, Sheffield. June 3. Trustees, T. Foster, Corn Factor, East Retford (White, Son, & Foster); J. H. Barber, Manager of the Sheffield Banking Company, Sheffield; J. Thompson, Corn Factor, Sheffield. Sol. Smith, jun., Sheffield; Hudson, Sheffield; Burdakin, jun., Sheffield.

LOVATT, HENRY JAMES, Grocer, Salford. May 31. Trustees, T. Rockett, Wholesale Tea Dealer, Swan-st., Manchester; J. Fitzgerald, Commercial Clerk, 80 Radnor-st., Manchester. Sol. Goulden & Swinburne, Manchester.

MULLENBORG, HENRY, Farmer, Hephworth, Suffolk. May 4. Trustees, H. Youngman, Farmer, Wattfield; J. Hutchinson, Grocer, Haring, Norfolk. Sol. Nunn & Sons, Ipswich, Suffolk.

PLAYER, REBECCA, Widow, Letchmore-lodge, Aldenham, Hertfordshire. May 27. Trustees, T. Clutterbuck, Brewer, Stanmore, Middlesex; C. Child, Ironmonger, Watford. Sol. Sedgwick, Watford.

SIMMONS, JAMES, Farmer, Wisbech St. Peter, Cambridgeshire. June 7. Trustees, J. Stockdale, Farmer, Elm, Cambridgeshire; G. Holmes, Farmer, Elm, Cambridgeshire. Sol. Jackson, Wisbech St. Peter.

## FRIDAY, June 10, 1859.

BETTS, HENRY, Tailor, Rugby. May 25. Trustees, W. Mason, Auctioneer, Rugby; R. Lindon, Shoemaker, Rugby. Creditors to execute on or before Aug. 25. Sol. Hubbard, Rugby.

BRIERLEY, JAMES, Grocer, Stalybridge and Droylesden, Lancashire. May 26. Trustees, T. Hankinson and T. Reekitt, Tea Dealers, Manchester. Sol. Brooks, Ashton-under-Lyne.

COOPER, HENRY JAMES, Builder, Mildenhall, Suffolk. June 4. Trustees, G. Bland, Estate Agent, Mildenhall; J. Fowell, Engineer, Thetford, Norfolk. Creditors to execute on or before Aug. 4. Sol. Isaacson, Mildenhall.

CROOK, JAMES, Shipowner, Ipswich. May 28. Trustees, W. Browne, Hope Manufacturer, Wivenhoe, Essex; C. Gocher, Meat Salesman, Ipswich; G. Mason, jun., Timber Merchant, Ipswich. Sol. Turner, Colchester; Yarrington, Ipswich.

GAMBLE, THOMAS, JOSEPH OSBORNE, & JOHN OSBORNE, Lace Manufacturers, Nottingham. May 18. Trustees, E. Turner, Silk Merchant, Derby; H. Johnson, Silk Merchant, Nottingham. Sol. Wells, Nottingham.

GREENEY, JOHN, Draper, Gorleston, Suffolk. May 30. Trustees, W. D. Pettingill, Estate Agent, Gt. Yarmouth; V. B. Skinner, Miller, Gt. Yarmouth. Creditors to execute before Aug. 30. Sol. Worsnip, Gt. Yarmouth.

HILL, THOMAS, Coal Merchant, Burton-upon-Trent. May 14. Trustees, J. Hall & T. Boardman, Coalmasters, Swadincote, Derbyshire. Sol. Perks, Burton-upon-Trent; Bamister, Accrington.

PATRICK, DAVID, Grocer, Peterborough. May 24. Trustees, W. Vergette,

Grocer, Peterborough; T. M. Evans, Grocer, Leicester. *Sol.* Young, Hastings.

REYNOLDS, JOHN, & EDWARD WRIGHT MCCREARY, Shoe Makers, 80 Wood-st., Chapsale. May 22. *Trustees*, W. Somervell, Leather Merchant, 35 Noble-st.; J. Radcliffe, Manufacturer, 69 Wood-st. *Sols.* Rose, 11 Salisbury-st., Strand; or Hinde, Manchester.

ROBERTS, GEORGE, Ship's Block & Spar Maker, Liverpool. May 23. *Trustees*, G. Nicholson & F. Elliott, Accountants, Liverpool. Creditors to execute before June 23. *Sol.* Duke, Cloughton, Chester.

### Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, June 7, 1859.

ARCT. BENJAMIN, Gent., Spalding, Lincolnshire (who died in or about May, 1839). Green v. Measures and others, V. C. K. June 30.

FRANCIS, MARIA PARTRIDGE, Castle Gate Borough, Derbyshire (who died in or about Nov., 1856). Barnard v. Lea, M. R. July 6.

GIBBS, JAMES, Tripe Dresser, 2 Holywell-lane, Shoreditch (who died in or about Dec., 1844). Gibbs v. Woodroff, V. C. K. June 25.

GOODALE, CHARLES WILLIAM, Surgeon, Shanghai, China (who died in or about Jan. 28, 1858). Goodall and others v. Goodall and others, M. R. Jan. 11, 1860.

HORNE, EDWARD, Woolstapler, Wokingham, Berks. (who died in Dec., 1857). V. C. Stuart. July 6.

LAMMING, GEORGE, Farmer, Tetney, Lincolnshire (who died in or about June, 1850). Lamming v. Lamming, V. C. Kindersley. July 9.

MORRIS, SARAH, Widow of William Morris, Farmer, Little Marlow, and formerly Sarah Seibson, Spinster (who died in or about Dec. 16, 1857). Re Morris's estate, M. R. June 30.

MUGGERDOD, MARY ANN, Pawnbroker, Stockport-rd., Rycroft, Ashton-under-Lyne (who died on May 25, 1858). Jones and wife v. Hemmingsway, at the office of the Registrar for the Manchester district. July 5.

POLLON, JOHN ANTHONY, Clothier, 36 & 37 Aldgate High-st. (who died in or about Nov., 1857). Maltland v. Westall and Pollon, M. R. June 27.

SMITH, WILLIAM CHAMBERS, Merchant, Belville, Thornton-heath, Croydon, and Leadenhall-st. (who died in or about Aug. 22, 1849). Pybus v. Dunbar, V. C. Wood. June 30.

SNOOGA, CHARLES, Old Black Jack, Portsmouth-st., Lincoln's-inn-fields (who died in or about April, 1854). Brooks and others v. Hamilton and another, V. C. Stuart. July 11.

STREET, SAMUEL, Cowkeeper, formerly of Everton, and late of Kirkdale, near Liverpool (who died in or about the month of Dec., 1857). Street v. Street and others, at the Office of the Registrar for the Liverpool District. July 4.

WADLEY, HENRY, Farmer, Coney Green, Worcestershire (who died in or about the month of Aug., 1856). Evans v. Dudman, V. C. Kindersley. June 27.

WELLS, JAMES, Builder, Coleman-st., Camberwell (who died in or about the month of Oct., 1853). Knox and another v. Wells and others, V. C. Wood. July 1.

FRIDAY, June 10, 1859.

CROSS, ANNE, Widow, Kersey, co. Lancaster (who died in or about Oct. 1855). Kirkman v. Cross & Cross, Registrar for the Liverpool District, 1 North John-st., Liverpool. July 4.

WILLOUGHBY, RICHARD, Cranbourn Hotel, St. Martin's-lane (who died in or about Feb. 1858). Jacobs v. Willoughby, M. R. July 5.

### Windings-up of Joint Stock Companies.

TUESDAY, June 7, 1859.

UNLIMITED, IN CHANCERY.

KENT BENEFIT BUILDING SOCIETY, also called the KENT FREEHOLD LAND SOCIETY.—V. C. Kindersley, on June 15, at 1.30, to settle the list of contributors.

MANDALA MINING COMPANY.—M. R. appointed Robert Palmer Harding, of 5 Serle-st., Official Manager of this Company.

NATIONAL ALLIANCE ASSURANCE COMPANY (REGISTERED).—Creditors to prove their debts before V. C. Wood, on June 14, at 12, for adjudication thereon.

FRIDAY, June 10, 1859.

UNLIMITED, IN CHANCERY.

NATIONAL ALLIANCE ASSURANCE COMPANY (Registered).—Creditors to prove their debts before V. C. Wood. Day for adjudication, June 14.

### Scotch Sequestrations.

TUESDAY, June 7, 1859.

CAMPBELL, JOHN, Wine & Spirit Merchant, St. Andrew-st., Leith. June 13, at 1; Messrs. Dowells & Lyons' Rooms, 18 George-st., Edinburgh. *Seq.* June 1.

LAURIE, ALEXANDER, Manufacturer, Glasgow (Abercromby, Laurie, & Co.) June 10, at 12; Faculty-hall, St. George's-pl., Glasgow. *Seq.* June 1.

M'NEIL, JAMES BANKS, Boat Builder, Rutherglen-rd., Glasgow. June 10, at 12; Faculty of Procurators-hall, St. George's-pl., Glasgow. *Seq.* June 2.

STIRLING, JOHN DAVID MORRIS, Esq., Black Grange. Meeting of creditors on the sequestrated estate, June 21, at 1; at the chambers of Messrs. Connell & Hope, 3 Princes-st., Westminster.

FRIDAY, June 10, 1859.

BROWN, JAMES, & JOSEPH BROWN, Wrights & Packing Box Makers, Glasgow. June 15, at 12; Faculty-hall, St. George's-pl., Glasgow. *Seq.* June 6.

MACKENNIE, MACKAY, Farmer, Scurie, Sutherland. June 14, at 11; Hill's-hotel, Glasgow. *Seq.* June 2.

REIDFOORD, JAMES, sen., Farmer, Westside, or Wester Corskie, Banff. June 18, at 12; Ann Gray's Inn, Aberchirder. *Seq.* June 8.

ROSE, JOHN THOMAS, Ironmonger, Inverness. June 17, at 1; Caledonian-hotel, Inverness. *Seq.* June 6.

WATT, JOHN, Farmer, Kieselochhead, thereafter at Thorn, presently prisoner in Ayr Prison. June 17, at 1; King's Arms Inn, in Ayr. *Seq.* June 8.

### TEETH.

**A NEW DISCOVERY IN ARTIFICIAL TEETH.**  
GUMS, and PALATES; composed of substances better suited, chemically and mechanically, for securing a fit of the most unerring accuracy, without which desideratum artificial teeth can never be but a source of annoyance. No springs or wires of any description. From the flexibility of the agent employed pressure is entirely obviated, stumps are rendered sound and useful, the workmanship is of the first order, the materials of the best quality, yet can be supplied at half the usual charges only by

Messrs. GABRIEL, THE OLD-ESTABLISHED SUBGEOON-DENTISTS,

33, LUDGATE-HILL, and 110, REGENT-STREET,

(particularly observe the numbers—established 1804), and at Liverpool, 134, Duke-street. Consultation gratis.

"Messrs. Gabriel's improvements are truly important, and will repay a visit to their establishments; we have seen testimonials of the highest order relating thereto."—"Sunday Times," Sept. 6, 1857.

Messrs. GABRIEL are the patentees and sole proprietors of their Patent White Enamel, which effectually restores front teeth. Avoid imitations; which are injurious.

### TEETH.

NO. 9, LOWER GROSVENOR-STREET, GROSVENOR-SQUARE,

(Removed from 61).

BY HER MAJESTY'S ROYAL LETTERS PATENT.

**NEWLY-INVENTED APPLICATION OF CHEMICALLY PREPARED INDIA-RUBBER** in the construction of Artificial Teeth, Gums, and Palates.

MR. EPHRAIM MOSELY, SURGEON-DENTIST,

9, LOWER GROSVENOR-STREET,

SOLE INVENTOR AND PATENTEE.

A new, original, and invaluable invention, consisting in the adaptation, with the most absolute perfection and success, of CHEMICALLY-PREPARED WHITE and GUM-COLOURED INDIA-RUBBER, as a lining to the gold or bone frame.

The extraordinary results of this application may be briefly noted in a few of their most prominent features:—All sharp edges are avoided; no spring wires or fastenings are required; a greatly increased freedom of suction is supplied; a natural elasticity, hitherto wholly unattainable, and a fit, perfected with the most unerring accuracy, are secured; while from the softness and flexibility of the agent employed, the greatest support is given to the adjoining teeth when loose or rendered tender by the absorption of the gums. The acids of the mouth exert no agency on the chemically-prepared India-rubber, and, as it is a non-conductor, fluids of any temperature may be retained in the mouth, all unpleasantness of smell and taste being at the same time wholly provided against by the peculiar nature of its preparation.

### TEETH.

513, NEW OXFORD-STREET, (Removed from 9, GEORGE-STREET, HANOVER-SQUARE.)

**THE** inconveniences usually attending the ordinary plans of FIXING ARTIFICIAL TEETH have been entirely obviated by Mr. A. FRESKO's invaluable discovery in replacing them with FLEXIBLE GUMS; they require no Springs, nor Wires; the fit is of the most unerring accuracy; and from the flexibility and softness of the Agent employed, pressure upon the gums and adjoining teeth and roots is avoided, and if loose, rendered firm and useful in mastication, while they cannot be detected by the keenest observer. Mr. A. FRESKO is duly recognised (and recommended) by Mr. Edward Cook, present principal Surgeon of Guy's Hospital, and by many other Medical men of eminence, who have certified that "he has been found in every way to be skilled, and competent to practise a 1a Surgeon-Dentist." Consultation free (daily).

513, NEW OXFORD-STREET, next Mudie's Library.

**HOLLOWAY'S PILLS.**—The sufferings to which delicate females are subjected by ignorant practitioners, and the no less serious evils they endure in consequence of self-neglect, are terrible to contemplate. In all disorders of the sex, and in every crisis perilous to the life and health of women, youthful or aged, married or single, they might regulate their own health without risk or trouble, if they would provide themselves with these pills, and take them according to the printed directions, which are so plain and simple that a child could be guided by them. They are composed of rare balsams, without a single particle of mercury, or any other deleterious substance, and are therefore as safe as they are efficacious.

### GLENFIELD PATENT STARCH,

USED IN THE ROYAL LAUNDRY,

AND FAVOURED BY HER MAJESTY'S LAUNDRESS to be THE FINEST STARCH SHE EVER USED.

WHEN YOU ASK FOR

**GLENFIELD PATENT STARCH,**

SEE THAT YOU GET IT,

as inferior kinds are often substituted.

Sold by all Chandlers, Grocers, &c., &c.

WOTHERSPOON & CO., GLASGOW AND LONDON.



**VICTORIA AND LEGAL AND COMMERCIAL**

**LIFE ASSURANCE COMPANY, 18, King William-street, City.** The business of the Company embraces every description of risk connected with Life Assurance. Credit allowed of one-third of the Premiums till death, or half the Premiums for five years, on Policies taken out for the whole of life. Residence in most of the Colonies allowed without payment of any extra Premium, and the rates for the East and West Indies are peculiarly favourable for Assurers. Endowment Assurances are granted payable at 60, 65, or any other age, or at death, should that happen previously. Four-fifths or 80 per cent. of the entire Profits are appropriated to Assurers on the Profit Scale.

Advances in connection with Life Assurance are made on advantageous terms, either on real or personal security.

WILLIAM RATRAY, *Actuary.*

Now published, price 6d., which will be allowed to purchasers,

**NEXT PRESENTATION.****TO BE SOLD.—The Next Presentation to the**

Vicarage of a Parish in the County of Cambridge, producing an annual income of about £500 a-year, nearly the whole of which is paid by one of the colleges at Cambridge. There is a good house, garden, stables, coach-house, &c., and ten acres of glebe land. Population between 500 and 600. The incumbent is in his 69th year.

For particulars apply to Messrs. Jenkyns, Phelps, and Bennett, 24, Red Lion-square, London, W.C.

**LEASEHOLD ESTATES.—Middlesex and Surrey.****TO BE SOLD, pursuant to an Order of the High**

Court of Chancery, made in a cause "Pennington v. Pennington," by Messrs. ABBOTT & WRIGGLESWORTH, at the AUCTION MART, opposite the Bank of England, on FRIDAY, the 1st JULY, 1859, at TWELVE or ONE o'clock precisely, in Four Lots, the following valuable properties:—

Lot 1.—A Spacious Town Residence and Offices, No. 8, Montague-square, Russell-square; held on lease from the Duke of Bedford, at a ground-rent of £40 a-year, for the residue of a term of ninety-nine years from Lady-day, 1852, and now underlet on lease to Mr. Henry Chater, for a term which will expire at Michaelmas, 1869, but is determinable by either party at Michaelmas, 1862, at the annual rent of £130, together with the valuable fixtures therein.

Lot 2.—The Coach-house and Stabling in Keppel-mews North, a short distance from the above-mentioned house, held on lease from the Duke of Bedford for the residue of a term of seventy years from Lady-day 1869, at a ground-rent of £26 6s. a-year, and now underlet to Mr. Clinch, as a yearly tenant, at £27 a-year.

Lot 3.—A large and very convenient Dwelling-house, No. 1, Grenville-street, Brunswick-square, held on lease for a term which will expire on the 2nd of November, 1891, at £53 10s. a-year, and now underlet to Mrs. Wood, as a yearly tenant, at £73 a-year.

Lot 4.—An Improved Rental of £45 a-year, arising out of extensive premises, No. 7, Holland-street, Blackfriars-road, held upon two leases, which will expire at Christmas, 1881.

Printed particulars and conditions may be had gratis of Messrs. PARKER, ROOKE, & PARKERS, 17, Bedford-row, London; Messrs. JANSON, COBB, & PEARSON, 4, Basinghall-street, London; Messrs. LOFTUS & YOUNG, 10, New-linn, London; at the Mart; and of Messrs. ABBOTT & WRIGGLESWORTH, Auctioneers and Estate Agents, 36, Bedford-row, and Lymington, St. Neots, Huntingdonshire.

Dated this 6th day of June, 1859,

CHARLES PUGH,

Chief Clerk,

PARKER, ROOKE, & PARKERS,

Solicitors, 17, Bedford-row.

**IN CHANCERY.—In the matter of CAREW'S**

ESTATE ACT, 1847.—To be SOLD, by PUBLIC AUCTION, pursuant to the order and direction of the Right Honourable the Master of the Rolls, made in the above matter and Act, the BEDDINGTON PARK ESTATE, situate in the several parishes of Beddington, Mitcham, and Carshalton, in the county of Surrey, and comprising the Beddington-park mansion, house, garden, and grounds, and beautifully-timbered deer-park, with rookery. Through the gardens, grounds, and deer-park, runs the river Wandse, so lately celebrated for its trout fishery, and supplying the ornamental waters which adorn the estate. Also the perpetual advowson and manor of Beddington, together with the several other mansion-houses and grounds in the respective parishes of Joseph Lawrence, Esq., and Andrew Collyer, Esq., the farm-houses, farm-cottages, and other premises; containing in the whole nearly 3,500 acres of park, meadow, arable, and wood land, of superior quality. The rights of game and fishery are reserved to the vendors over the whole of the said estate, which will be offered for SALE, by PUBLIC AUCTION, at the BRIDGE HOUSE HOTEL, London-bridge (Surrey side), on the 22nd, 23rd, and 24th days of JUNE, 1859, by Messrs. NASH, of Reigate, the Auctioneers appointed to sell the same.

The whole of the above estate, with the advowson and manor, will be put up for sale in One Lot, in the first instance, on the first-named day of sale; and if not sold, then, in suitable Lots, according to the printed particulars, with plans and conditions, which may be had (price 10s. each), on application to

JOHN GREENWOOD, Esq., Solicitor, 7, Chandos-street, Cavendish-square, W.; WILLIAM AUGUSTUS FORD, Esq., Solicitor, 43, Lincoln's-inn-fields, W. C.; Messrs. JANSON, COBB, & PEARSON, Solicitors, 4, Basinghall-street, E. C.; Mr. WILLIAM J. BLAKE, Auctioneer, Croydon; Messrs. NASH, Auctioneers, Reigate, Surrey.

Dated this 10th day of March, 1859.

GEO. WHITING, Chief Clerk.

JOHN GREENWOOD,

W. A. FORD,

JANSON, COBB, & PEARSON, } Solicitors in the matter.

**TO BE SOLD.—Three Leasehold Cottages, at a term of 95 years, for £350.—Conveyance Free.—£200 of the purchase money may remain on Mortgage.**

Also, a pair of Semi-Detached Villas (Furnished). A Furnished Villa to Let.

Apply to Mr. G. Overton, House and Land Agent, Burlington-hill, S.W.

**STAFFORDSHIRE.—Valuable Freehold and Copyhold Estates, situate in the parish of Kinver, comprising the Pigeon-house and Vale-head Farms.**

**MESSRS. OATES & PERRENS have received instructions to OFFER for SALE by AUCTION, on FRIDAY, JULY 1, at SIX p.m., at the TALBOT HOTEL, STOURBRIDGE, in the County of Worcester, the above-mentioned desirable ESTATES, in the following Lots. The bulk of the property is freehold, and the remainder copyhold of inheritance of the Manor of Kinver and Compton Hallows:—**

Lot 1 will comprise all that well-cultivated and fertile Estate, called the Pigeon-house Farm, delightfully situated at Compton, in the parish of Kinver, in the county of Stafford, and containing about 140 acres of superior meadow, pasture, and arable land, of a rich turnip and barley soil, now in the occupation of Mr. John Salter and Mr. William Green, including a comfortable and well-furnished dwelling-house, commanding most extensive and delightful views, with barns, stables, and out-buildings, and four substantial workmen's cottages, with gardens and appurtenances thereto belonging; the whole lying in a ring-fence, and forming a most desirable investment.

Lot 2 will comprise all that very desirable Estate, with the neat dwelling-house, with barns, stables, and appurtenances thereto belonging, situate in the parish of Kinver aforesaid, called the Vale-head Farm, containing 50a. 3r. 6p. or thereabouts, now in the occupation of Mr. William Green, with the exception of the young and thriving plantations, about 20 acres, which are in hand.

Lot 3 will comprise a very desirable detached estate, fronting to the roads leading from Kinver to Compton and Shatterford, admirably adapted for the erection of a villa residence, containing 18a. 1r. 0p. or thereabouts, of arable land and plantation, and in the occupation of Mr. John Salter, Mr. William Green, and the proprietor, who holds the plantation.

The Auctioneers beg especially to call the attention of capitalists to this delightful and improving property, situated close upon the borders of the manufacturing districts, being within five miles of Stourbridge and Kidderminster, and seven miles of Dudley, the whole of it abounding with choice situations for the erection of villa residences, on a dry, healthy soil, commanding most delightful views of the surrounding romantic country. To the sportsman it offers superior advantages, as it abounds with game, being close to the covers of the Earl of Stamford and Warrington, J. H. H. Foley, Esq., M.P., W. O. Foster, Esq., M.P., and others, and affording abundant cover in its young and healthy plantations, whilst it is within easy reach of three packs of fox-hounds and two of harriers.

Full particulars, with conditions of sale, will shortly be published. The estate may be viewed on application to the tenants, and further inquiries made of Messrs. BARKER, BOWKER, & PEAKE, Solicitors, Gray's-inn-square, London; of C. H. AUSTER, Esq., Solicitor, Ann-street, Birmingham; and of the Auctioneers, Stourbridge.

**SUSSEX, within 2½ miles of the town of Hastings.—The Ore-place Estate, ancient Residence, Pleasure-ground, Gardens, Ornamental Woods, park-like Lands, and Farm, extending over about 534 acres.**

**MESSRS. NORTON, HOGGART, & TRIST**

have received instructions to offer for SALE, at the MART, on FRIDAY, JULY 15, in Three Lots (unless the whole shall be previously disposed of by private contract), the ORE-PLACE ESTATE, a very beautiful and partly title-free freehold property, delightfully situate in the parishes of Ore and St. Mary of the Castle, about two and a half miles by public road, and one and a quarter by private road, from the town of Hastings. The residence, which is approached by two entrance lodges, is placed upon an elevation, belted by plantations and shrubby walks, and possesses every accommodation for a moderate-sized family. It contains six attics, five bed-rooms, two dressing-rooms, morning room, dining and drawing rooms of good dimensions, library, and the usual domestic offices; double coach-houses, three-stall stable, and loose boxes; adjoining are very capital farm buildings, enclosed farm-yard, a half-acre cottage, two enclosed kitchen gardens, lawn, flower garden, pleasure grounds and shrubby walks, park-like lands, and ornamental woods, admirably adapted for the preservation of game.

Also the Lower Ridge Farm, adjoining, with farm cottage, barn, hop oast, cart lodge, and stabling, enclosed yard, and bullock lodge, together with numerous enclosures of excellent arable and pasture land—the whole lying in a ring fence, and containing together about 534 acres.

The estate possesses great capability for subdivision, without interfering with the privacy of the residence and the lands which should be properly attached to it for a comfortable and gentlemanly occupation. A very considerable portion, abounding in a variety of the most valuable and beautiful sites, and commanding some of the most magnificent sea and inland scenery that can well be imagined, might be appropriated for building detached villas, with a small quantity of land to each. It immediately fronts the high road from Hastings to Battle, and from its close contiguity to the town, which is every day improving and increasing, and the great want of houses in the neighbourhood, the opportunity afforded to any one desirous of carrying out building operations in a most advantageous and favourable one; or, in the event of any purchaser desiring a residence and 500 acres of land, nothing can be more beautiful than the Ore-place estate in its present entirety.

Particulars are in course of preparation: meanwhile the property may be viewed by tickets, which can only be had of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange. When the particulars are ready they may be had of Messrs. FEARON & CLABON, Solicitors, Great George-street, Westminster; Messrs. PICKERING, TOMPSON, & Co., Solicitor, 4, Stone-buildings, Lincoln's-inn; Messrs. JENKINS & ABBOTT, Solicitors, 8, New-linn, Strand; EDWARD LAMBERT, Esq., Solicitor, 62, Chancery-lane; Messrs. RICHARDS & WALKER, Solicitors, 39, Lincoln's-inn-fields; JOHN FRASER, Esq., Solicitor, 16, Finsbury-lane; Messrs. RAVEN & BRADLEY, Solicitors, No. 2, Harcourt-buildings, Temple; and at the principal hotels at Hastings, Battle, and the neighbourhood.

**GREAT MARLOW, BUCKS.**—Valuable Freehold Residence, with capital offices and stabling, beautiful pleasure grounds, productive ardens, greenhouse, and land, upwards of 30 acres, with easy possession.

**MESSRS. NORTON, HOGGART, & TRIST** have received instructions to offer for SALE, at the MART, LONDON, on WEDNESDAY, JUNE 29, at TWELVE, in One Lot, a very valuable FREEHOLD PROPERTY, known as Beech Lodge, situate amidst the beautiful scenery of the river Thames at Great Marlow, on the road to Henley, in the county of Bucks, only four miles from the Marlow-road Station on the Wycombe branch of the Great Western Railway, and about five from Maidenhead and Taplow. The residence, which is approached by a lodge entrance and carriage drive, is placed upon a lawn and pleasure grounds, and contains three attics and lumber-room, five bed-rooms, dressing-rooms, bath-room, and water-closet, an elegant drawing-room, 36ft. 6in. by 21ft., opening to a conservatory, capital dining-room, 33ft. 6 by 15ft. 6, shaded by a verandah, gentleman's room or study, library, with plate-glass windows, entrance hall, all usual domestic offices, and good cellars, with an abundant supply of pure spring water throughout yards, cool dairy, detached stabling for two horses, loose box, two coach-houses, harness-room, man's-room, apple and seed rooms, cow-house, dog-kennel, and other out-buildings; a pair of newly erected cottages or lodges, each containing four rooms and wash-house, lawns and pleasure grounds planted with choice shrubs and evergreens, very productive kitchen garden, screened by a high hedge of rose-trees, green-house, 32ft. long, melon pits and thriving orchard, together with several enclosures of excellent meadow and arable land, belted by plantations, intersected by extensive shady walks, commanding lovely views, and containing in the whole upwards of 30 acres. Immediate possession will be given, and a purchaser may have the option of taking the whole of the furniture, crops, and other effects at a valuation.

May be viewed by cards only, and particulars had at the Crown Hotel, Great Marlow; the Bear, Maidenhead; the Catherine Wheel, Henley; of W. W. B. PATERSON, Esq., Solicitor, 4, New Bridge-street, Blackfriars; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, No. 63, Old Broad-street, Royal Exchange.

**PECKHAM, SURREY.**—Valuable well-secured Freehold Ground-rents, amounting together to £412 per annum, with early Reversion to the Rack Rentals, estimated at nearly £4,500 per annum, and presenting first-class investments.

**MESSRS. NORTON, HOGGART, & TRIST** have received instructions to offer for SALE, at the MART, on WEDNESDAY, JULY 13, at TWELVE, in Lots, the following valuable and well-secured FREEHOLD GROUND RENTS: viz.—£102 and £68 15s. per annum, arising out of 52 residences, shops, and dwelling-houses, and the Globe public-house, situate in High-street, and Hill-street, Peckham, with Reversion in about 28 years to the Rack Rentals, estimated at £1,500 per annum; £36 per annum, arising out of numerous shops, dwelling-houses, cottages, vacant ground, the Bricklayers' Arms public-house, stabling, and other premises, situate in Southampton-street, Wells-street, Powles and Grove-place, Peckham, with Reversion in 27 years to Rack Rentals of about £1,500 per annum; £58 12s. per annum, arising from several residences, shops, dwelling-houses, cottages, builder's yard and premises, the George public-house, and several plots of building land in Wells-street, Coleman-street, and Grove-place, Peckham, with Reversion in 27 years to Rack Rentals of about £1,100 per annum; and £86 14s. per annum, arising from Nos. 1 to 19 inclusive, Park-place, a shop, two cottages, and a large plot of vacant building ground, possessing important frontages and sufficient space for the erection of upwards of 100 houses and cottages, with Reversion in 30 years to Rack Rentals which may be estimated at about £2800 per annum.

The arrangement of the Lots will be named shortly, when particulars may be had of Messrs. ANDERSON, C. J. and H. SHOUBRIDGE, Solicitors, 1, Lincoln's-inn-fields; at the Bricklayers' Arms, Peckham; the Elephant and Castle Tavern, Newington-butts; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 63, Old Broad-street, Royal Exchange.

**PRELIMINARY ADVERTISEMENT.**—The Lordship and Manor of Rockbeare, and the Manor of Marsh, otherwise Marsh Bowden, together with the capital Family Residence, called Rockbeare-house, with its beautiful Park Lands, Gardens, and Pleasure Grounds, and the several Farms adjoining thereto, situate in the parishes of Rockbeare, Aylesbeare, and Broadclist, in the county of Devon; comprising in the whole nearly 900 acres, and producing about £1,300 per annum.

**MESSRS. NORTON, HOGGART, and TRIST** have received instructions to prepare for SALE, in JULY next, the FREEHOLD ESTATE, known as Rockbeare, situate in the parishes of Rockbeare, Aylesbeare, and Broadclist, in the county of Devon, together with the Lordship and Manor of Rockbeare, and the Manor of Marsh, otherwise Marsh Bowden, including the capital family residence, called Rockbeare-house, with its beautiful park lands, gardens, and pleasure grounds, extensive stables, coach-houses, laundry, and other convenient out-buildings, and the several farms, called Lion's, Tauxer's, Southwood, and Cottles, with their substantial farm houses and farm buildings; all in the occupation of respectable tenants, and comprising nearly 900 acres of arable, pasture, meadow, and wood land, the present rental being £1,300 per annum. The estate forms a most desirable residential property, the mansion is adapted for a family of the highest respectability, and is placed in a most picturesque district; it is distant about seven miles from Exeter, nine miles from Honiton, and ten miles from Exmouth, and adjoins the old coach road from London to Exeter; the Yeovil and Exeter continuation of the London and South-Western Railway runs close to a portion of the estate, and there will be two stations within about three miles of the mansion. The greater part of the estate is free from corn and vicarial tithes. The estate will be more fully advertised as soon as the survey has been made, and

Particulars, when ready, may be had at the New London Inn, Exeter; of Messrs. DIMOND, Surveyors, Exeter; at the Inns, Bath and Bristol; of Messrs. LETHBRIDGE & MACKRELL, 25, Abingdon-street, Westminster, Solicitors; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 63, Old Broad-street, Royal Exchange.

**SUSSEX.**—Valuable piece of WOOD LAND, containing about 40 acres.

**MESSRS. NORTON, HOGGART, and TRIST** have received instructions to offer for SALE at the MART, on Friday, July 8, at 12, a valuable PIECE of LEASEHOLD WOOD LAND, known as Bishop's Wood, situate at Warringlid, in the parish of Slaughtam, in the county of Sussex, and about four miles from the Horsham Station, on the London and Brighton Railway. It contains 39 acres, 3 rods, 36 perches, with cottage thereon, and is surrounded by the estates of W. E. Hubbard, Esq., and E. Stanford, Esq. The property is held under lease for three lives, at a rental of 4s. per annum. May be viewed and particulars had at the King's Head Hotel, Horsham; of Messrs. FIELDER, JOHNSON, & MASTER, Solicitors, 22, Duke-street, Grosvenor-square; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 63, Old Broad-street, Royal Exchange.

**CITY OF LONDON.**—Important Freehold Property, occupying an area of about 99,000 square feet in St. Mary-axe and Jeffries-square.

**MESSRS. NORTON, HOGGART, & TRIST** have received instructions to offer for SALE, at the MART, on FRIDAY, JUNE 24, at TWELVE, in One Lot, valuable and very important FREEHOLD PROPERTY, situate in St. Mary-axe and Jeffries-square, comprising four dwelling-houses, Nos. 14, 15, 16, and 17, St. Mary-axe, eight dwelling houses, Nos. 1 to 8 inclusive, Jeffries-square, stabling, coach-house, and the building now used by the Fire Engine Brigade, in the rear. It possesses a frontage of about 160 feet to St. Mary-axe, and extends in average depth about 200 feet. The present gross rental is about £1,200 per annum, partly derived from offices, the property, however, as a whole, is exceedingly valuable, and offers in its present state a safe investment for capital, or from its extensive frontage and depth is capable of being applied to any large wholesale trade requiring warehouses in the city, or for any important mercantile purpose.

May be viewed by permission of the tenants, and particulars had of Messrs. FARBER, OUVRY, & FARBER, Solicitors, 66, Lincoln's-inn-fields; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 12, Old Broad-street, Royal Exchange.

**VALUABLE FREEHOLD ESTATE,** near Torquay, Totness, and Newton in the southern part of the County of Devon.

**MESSRS. NORTON, HOGGART, & TRIST** have received instructions to offer for SALE at the MART, on FRIDAY, JUNE 24, at TWELVE, the BULLLEIGH, KITTAMORE, and WINTHORNE ESTATE, a beautiful and valuable freehold property, situate in the parishes of Ippiden and Mariden, in the County of Devon, about five miles from Torquay, six from Totness, and four from Newton, in the southern part of the County of Devon, the South Devon Railway passing through a portion of the estate. It consists of an exceedingly comfortable farm-house, with farm-buildings of every description, detached bullock lodges and yards in convenient parts of the estate, and numerous enclosures of sound arable, pasture, and meadow land, intersected with streams of running water, a useful quantity of good orchard land; the whole containing nearly 400 acres, and in the occupation of Mr. Symons, a highly respectable tenant, at a moderate rent of £540 per annum, the lessee paying all outgoings.

May be viewed by application to Mr. SYMONS, the Tenant, and particulars had of JOHN BROOKING, Esq., Solicitor, Dartmouth; ROBERT FRANCIS, Esq., Solicitor, Newton Abney; at the Globe Inn, Newton; at the Inns at Totness and Torquay; at the New London, Exeter; of Messrs. CHURCH & SON, Bedford-row, London; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 63, Old Broad-street, Royal Exchange.

**Valuable FREEHOLD and Tithe Free ESTATES at WIGSTON, near Leicester.**

**MESSRS. NORTON, HOGGART, & TRIST** have received instructions to offer for SALE, at the MART, on FRIDAY, JULY 8, at TWELVE o'clock, in Seven Lots, the RECTORY ESTATE, a valuable freehold and tithe-free property, situate at Great Wigston, close to the church, in the county and within four miles of the important and largely increasing town of Leicester, with a station on the Midland Railway, placed almost in the centre. It comprises a comfortable farm-house, immediately in the town, with farm-yard, farm buildings, a small farm-house and farm-buildings close to Crow Mills, and numerous enclosures of fine rich arable, meadow and feeding land, the whole containing about 376 acres. The mode of subdivision will be as follows:—Lot 1. Ingram's Farm, with farm-house, farm buildings, close to the church, and several enclosures of rich arable, meadow and feeding land, containing together 213a. 3a. 35p., in the occupation of Mr. James G. Pochin, as yearly tenant. Lot 2. A valuable Freehold and tithe-free Estate, part of Blockley Farm, and bounded by the high turnpike-road, containing 69a. 1a. 3p. Lot 3. A valuable Freehold and tithe-free Estate, part of Blockley Farm also, bounded by the high turnpike-road, containing 60a. 2a. 14p. Lot 4. A valuable Freehold and tithe-free Estate, part also of Blockley Farm, containing 14a. 1a. 3p. Lot 5, 3, and 4 are in the occupation of Mr. John Pochin. Lot 5. A well-secured Freehold Rental of £235 per annum, arising out of premises let to the Midland Counties Railway Company. Lot 6. A Freehold Enclosure of Garden Land, let out in allotments, containing 12a. 0a. 0p. Lot 7. A Freehold Enclosure of Garden Land, let out in allotments, containing 5a. 0a. 3p. May be viewed on application to either of the tenants, and particulars had at the Inn at Wigston; Bell, Leicester; of Messrs. FIELDER, JOHNSON, & MASTER, Solicitors, 22, Duke-street, Grosvenor-square; of Messrs. R. J. and H. CLUTTON, Surveyors, 9, Whitehall-place; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 63, Old Broad-street, Royal-Exchange.

**GRAY'S-INN.**—Set of Chambers on the east side of South-square.

**MESSRS. FAREBROTHER, CLARK, and LYE** are instructed to SELL, at GARRAWAY'S, on WEDNESDAY, JUNE 29, at TWELVE, a SET of CHAMBERS, consisting of three rooms on the first floor, with wine and coal cellars, of No. 6, on the east side of South-square, Gray's-inn, in the occupation of H. S. Lage, Esq. Held under the Hon. Society of Gray's-inn, renewable every seven years, subject to the usual fine.

Particulars may be had at Garraway's; and at the offices of Messrs. FAREBROTHER, CLARK, and LYE, 6, Lancaster-place, Strand.



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Mr. Stevenson's communication will, we hope, appear in our next number.—ED. S. J.

## THE SOLICITORS' JOURNAL.

LONDON, JUNE 18, 1859.

### CURRENT TOPICS.

The majority of thirteen which has deprived Lord Derby and his colleagues of office, will cause some considerable changes on the judicial bench. Lord Campbell goes to the woolstack at last, having fairly earned the position by a lifetime of labour, and many years' experience, both as a legislator and judge. It was currently rumoured, during the early part of the week, that Lord Cranworth was to resume the Chancellorship; Sir John Romilly, Vice-Chancellor Wood, and Sir Richard Bethell, have also been named. The actual choice, we believe, has given general satisfaction. Lord Cranworth was offered the Chief Justiceship, but declined; and Sir Alexander Cockburn takes the lead of the Queen's Bench. Mr. Justice Erle succeeds to the chiefship of the Common Pleas; and it is said that Sir Henry Keating will fill the vacancy thus created. Sir Richard Bethell has been persuaded to discharge his old duties as Attorney-General, and it is probable that Mr. Collier will be Solicitor-General, and Mr. Headlam the Judge-Advocate.

Lord St. Leonards's Law of Property and Trustees Relief Amendment Bill, which has already been read a third time in the House of Lords, and is now before the House of Commons, is precisely the same as that which his Lordship introduced last session. Our readers may remember that, a few weeks ago, we printed the Bill *in extenso*, and made some observations on its proposed provisions. It does not appear, judging from the meagre report which was published in the morning papers, to have received any discussion from the law lords. We hope, therefore, that the suggestions which we have thrown out for its amendment may induce some member of the lower House to turn his attention to the subject. Some of the clauses are certainly capable of amendment, and others of great utility might be introduced, in perfect accordance with the general scope of the Bill, as we have already pointed out in detail.

In the case of *Cunnington v. Noble*, in which judgment was given by the full Court of Divorce, the question was raised, whether a husband, having been convicted of felony, and sentenced thereupon to penal servitude, had committed such misconduct as, under the No. 129.

31st section of the Divorce Act, would debar him from obtaining a divorce for his wife's subsequent adultery. The Court held, that the misconduct must be in his marital capacity, and that the right of the applicant, who had been convicted of stealing from the Post-office, was consequently not affected; but the Chief Baron pointed out that another section of the Act, the 21st, would, under this interpretation, require amendment, as a wife, if the transportation of her husband is not to be held desertion, would be left, in such a case, without protection for her property and earnings.

We call attention to the important report addressed to the Benchers of the Inns of Court by the Committee of which Sir Richard Bethell is chairman. It recommends that a compulsory examination should be instituted for all candidates for the bar, that a separate honour class should be established, and that compulsory attendance on lectures should be discontinued. An excellent recommendation is introduced that no benchers, lecturer, or teacher, should be permitted to act as examiner, but that this office should be filled exclusively by independent members of the bar. We trust that this great improvement will be carried out immediately.

A meeting will be held of the members of the Hon. Societies of the Inner and Middle Temple on Wednesday next, the 22nd of June, in the hall of the Middle Temple, at four o'clock precisely, for the purpose of taking into consideration the propriety of forming a Volunteer Rifle Corps.

### THE STATUTE LAW COMMISSION REPORT.

The Statute Law Commission has just published its fourth report, which may fairly take its stand beside the former achievements of that now famous body. The signatures appended to the document are a proper illustration of the whole career of the Commission. We find there the names of Lords Stanley and Wrottesley, also of Lords Lyndhurst, Brougham, and others, winding up, of course, with the name of Mr. B. Ker. Thus we have now—as we have always had from the appointment of these Commissioners—an attempt to silence opposition, and to stifle the indignation which both the profession and the public have long felt, at the fact of such work as the consolidation of our statute law being committed to the hands of Mr. Ker. Everybody knows that several of the distinguished persons whose names appear to these reports, take little or no interest in the Commission, and scarcely ever attend its meetings. Why, then, should Mr. Ker be allowed to shelter himself behind Lord Stanley or Lord Lyndhurst? Why should not the person who is really responsible for the scandalous shortcomings and blunders of the Commission, and who has received so much of its money to no purpose of public good whatever, be left to receive from Parliament and the public generally what he has so well earned?

We had thought that it was impossible to surpass, for cool assurance, the former reports of this Commission, but we were mistaken. In this particular they must all yield to the last, which contains abundant evidence to convince the most sceptical of the shameful bungling and persistent trifling which have characterised all its proceedings from the commencement. Though the Commission has been in existence for several years, and has expended many thousand pounds in paying Mr. Ker and his secretary for doing nothing, and many thousand pounds more in paying draftsmen for making ill-directed and useless attempts at consolidation, our readers are already aware that the principles of the proposed consolidation have never yet been definitively settled. It remained for this new report to inform us that, of the ninety consolidated Bills which were thus drawn under the so-called direction of the Commissioners, some will require further consideration—many



of them having left the draftsmen's hands years ago—as they were proposed before they “had the advantage of the Register.” The plain meaning of which is, that so eager was this Commission, or rather Mr. Ker, to dispense its patronage, that, before any analysis of the statute-book was made, or even the general scheme and principle of the work was settled, a vast sum of money was expended on perfunctory and unscientific attempts, which now turn out to be valueless. The Commissioners state, that, in order to enable them to bring the work speedily and efficiently to an end, it is essential that some barrister of eminence should be appointed, who would give his whole time and energy to superintending the work in progress. If this recommendation means that the present Commission is to be utterly abolished, and that Mr. B. Ker is no longer to meddle in the business, we fully acquiesce in it, as we do also in the naive remark which follows, viz. that such an official would have no difficulty “in parcelling out the different bills among draftsmen, competent to the task of consolidation.” But if the intention is that Mr. Ker is to be continued as a paid commissioner, and that this new officer is to be under his control, we earnestly hope that Mr. Locke King, or some member of either House of Parliament, will expose to public view this contemptible contrivance to continue Mr. Ker in a position, the duties of which he appears to be either unwilling or incompetent to discharge. The report concludes with an innuendo that two years more would be sufficient to complete the work of consolidation, which, no doubt, is meant as an indirect appeal against the verdict of the public, which long ago has been given for extinguishing the present commission. Most persons competent to form an opinion on the subject, believe that the entire work might originally have been well accomplished in that time; but nobody is bold or foolish enough to imagine that he will ever live to see a revised statute book, so long as Mr. B. Ker is the factotum of the Statute Law Commission.

#### THE LAW OF SOLICITOR AND CLIENT.

One of the most important functions of legal text-books is the more certain establishment and recognition of principles which result from the mere collocation of decided cases. It is, therefore, not a subject of surprise that those branches of law which have not been considered worthy of a special treatise should be remarkable for the fluctuation and irresoluteness of the decisions which fall within them. It is strange that so important a department as that which deals with the relation of solicitor and client should not have produced, at least, a handy-book; but it is by no means strange—such being the fact—that the authorities comprised within this department should be in an uncertain and unsatisfactory state. By way of illustration, we may refer to a few modern cases.

Most of our readers will remember the conflict of authorities which induced V. C. Stuart, in *Hindson v. Weatherill* (2 W. R. 507), to set aside a gift by a testator to his solicitor, who prepared the will. In this decision, that learned judge only adopted the principle enunciated by Lord Eldon as to the (assumed) analogous case of guardian and ward, viz. that “the gift should not prevail were the transaction ever so righteous, and that on high grounds of public policy.” The Lords Justices, however, were of opinion that it did not necessarily follow, from the relation of solicitor and client, that the former could not take a gift in his client's will which had been prepared by himself. Any one who glances at the following reported cases, which have been decided within twelve months, we have little doubt will agree with us that the entire law of solicitor and client is at present very ill-defined and unsatisfactory. *Verity v. Wyld*, *Swinfen v. Swinfen*, *Lyddon v. Moss*, and *Fray v. Vonles*, may all be found in the current year of the *Weekly Reporter*, and

any solicitor who reads these cases carefully can hardly fail to be convinced of the necessity for extreme caution, and even then of the uncertainty as to the rights of a solicitor, in every case of the compromise for a client, of a suit or action. The same observations, *mutatis mutandis*, will apply to the recent decisions in *Gresley v. Mousley* (6 W. R. 807; 7 W. R. 427); *Knight v. Bowyer* (6 W. R. 565); *Savey v. King* (4 W. R. 571); *Nelson v. Booth* (5 W. R. 722); *Simpson v. Lamb* (5 W. R. 227); and *Smith v. Setwyn* (5 W. R. 682), as to purchases and sales between solicitor and client.

A judgment of the Lords Justices, this week, in the case of *Turner v. Ince*, has called our attention to the subject of a solicitor's lien, and thus to the general question of the present unsatisfactory state of the law of solicitor and client. In *Shaw v. Neale* (6 H. of L. Case, 581), it was held that a solicitor has no lien upon real estate for his costs in the proceedings by which it was recovered. We think our readers will agree with us that *Turner v. Ince* carries the doctrine a good deal further; perhaps some may think to an unreasonable length. The case was this:—

In *Turner v. Ince*, the bill sought to obtain payment of costs from real estate, which descended on the death of Mrs. Catherine Cumming, to the defendants, as her co-heiresses-at-law, Mrs. Ince and Mrs. Hooper. The costs in question were incurred in suing out and prosecuting a commission of lunacy at the request of the defendants, her children, upon a statement that the lunatic had large real property, of which she had the absolute disposal; and that she had already sold a considerable portion thereof, and the residue would be disposed of by will to strangers unless proceedings in lunacy were taken for the lunatic's protection, and for the protection of her property; and if the commission succeeded, the property would pay the costs. The defendants had no deeds or evidences of title in their possession, and the plaintiff was compelled to rely upon their representations, and acted on the faith of the same being true. Under the commission in lunacy, Catherine Cumming was, in January, 1852, found to be of unsound mind from the 1st of May, 1846. No order for payment of the costs of the lunacy was made during the lifetime of the lunatic, but after her death an order was made on a petition presented in her lifetime, whereby it was declared that the costs were properly incurred, and were directed to be taxed. In a creditor's suit to administer her estate, it was ascertained that part of the property which remained undisposed of by Mrs. Cumming was of copyhold tenure, and had descended to her in fee on the death of her father, Thomas Prichard, in the year 1811; and that other part had descended to her on the death of her father as tenant in tail. It further appeared that the estates that had so descended in fee were, by a settlement made in 1776, covenanted to be surrendered to trustees upon trust, and for the use of Mr. and Mrs. Prichard, the father and mother of Mrs. Cumming, for life, with remainder to the heirs of the body. The lands were of gavelkind tenure, and the object of the parties was to secure the descent of the lands to the children of the marriage. Mr. Prichard made no surrender of the particular lands which he thus contracted to surrender; but in 1778 he did surrender other copyhold lands of the same tenure, and of equal extent and value, to the use prescribed by the settlement of 1776, and he suffered the lands which he had covenanted to surrender to descend in fee to his daughter. In 1847, Mrs. Cumming surrendered the lands to the lord of the manor, to bar the estate tail created by the surrender of 1778, and in 1850 she, by surrender, barred her equity to the estate tail in the lands referred to by the covenant contained in the settlement of 1776. The Vice-Chancellor decided that these properties were legal assets for payment of Mrs. Cumming's debts; but on an appeal, the Lord Chancellor (Cranworth) decided that the inquisition in lunacy having overreached the surrenders of 1847 and 1850, the same were void, and he reversed the decision of the Vice-Chancellor. Mr. Hooper, on Mrs. Cumming's death, settled the property on his wife, and then took the benefit of the Insolvent Debtors Act.

In the present suit it was insisted: 1st. That inasmuch as on the plaintiff's employment she was informed that all the property was Mrs. Cumming's, and as the same had descended to the defendants in fee, there was no equity as against him to control the legal descent, and to prevent the property being applied in payment of his costs. 2nd. That the covenant by Mr. Prichard, in 1776, had been substantially performed by

him, by his permitting the more beneficial descent of the lands in fee to Mrs. Cumming, and by the lands surrendered by substitution in 1778, and that she had nothing to complain of, and therefore had no equity against herself to enforce a mere act of volition on her part, and her daughters, the grandchildren of the settlor, were not entitled in equity to alter the nature of the descent to them, to defeat payment of the plaintiff's costs (*Wilcocks v. Wilcocks*, 2 Vern. 558, and *Lechmere v. Carleton*, were relied on as authorities to support this position). 3rd. That the defendants could not have the benefit of the proceedings in lunacy, which destroyed the effect of Mrs. Cumming's surrenders in 1847 and 1850, without paying the costs, on the principle that those who seek equity must do equity, and that there was, in this respect, a lien upon the estate.

The Lords Justices, however, dismissed the appeal, and decided against the plaintiff, on the grounds—1st, that the representations were not sufficient to bind the property, as the defendants did not expressly refer to the estates tail, of which it was admitted at the time they had no knowledge, his acting on the faith of the representations being true not being considered material. 2nd, their Lordships were of opinion that the case was not controlled by *Wilcocks v. Wilcocks*; and lastly, that there was no lien.

The effect of this decision is, that lands recovered by the outlay of a solicitor are retained by the parties, without payment of the costs, and by the instrumentality of the Court of Chancery the legal freehold title by descent, and the statute 3 & 4 Will. 4, c. 104, which rendered the lands assets of Mrs. Cumming for payment of the plaintiff's costs, have been controlled and defeated.

Should any learned author, at a future time, deem the law which affects the relations of solicitor and client to be worthy of a separate treatise, we strongly recommend him to give his best consideration to the decision of the Lords Justices in *Turner v. Inc.*

## The Courts, Appointments, Vacancies, &c.

### COURT OF CHANCERY.

(Before Vice-Chancellor Sir W. P. Wood.)

*Duigan v. Walker.*—June 16.

The plaintiff in this case had obtained an injunction restraining the defendant from practising or carrying on business as an attorney or solicitor, at any place within seven miles from the plaintiff's office at Walsall (except Wolverhampton), without the plaintiff's consent in writing, the defendant having entered into an agreement not to practise within seven miles of the plaintiff's office after leaving his employment. The plaintiff now moved to commit the defendant for a breach of the injunction, in having practised at the County Court of Dudley since the date of the order. It was admitted that the distance between Dudley and Walsall was more than seven miles by road or any practicable mode of access; but it was submitted, that as the distance measured in a straight line upon the Ordnance map, or "as the crow flies," was less than seven miles, the defendant had committed a breach of the injunction.

The VICE-CHANCELLOR was of opinion that the seven miles must be measured in a direct line, and ordered an inquiry whether the plaintiff's offices at Walsall were within seven miles, measured on a horizontal plane from the County Court at Dudley.

(Before Vice-Chancellor Sir R. T. KINDERSLEY.)

*Turner v. Turner.*

Mr. Marcus Turner, a barrister, resident in London, had been allowed by the taxing-master 2l. 2s. for two days' attendance as a witness in this suit. The allowance was objected to on the ground that there was no proof that Mr. Turner was a practising barrister, and, therefore, none to show that he was a professional man.

The VICE-CHANCELLOR said, that the principle upon which a professional man was paid was, that he was abstracted from the functions which he exercised. A barrister, no doubt, came within this definition, and had a right when subpoenaed as a witness to the small and scanty remuneration of 1l. 1s. per day. No question was raised by the taxing-master as to whether Mr. Turner was a barrister. It was not really disputed; but if the moving parties liked to take an inquiry on the subject, at their peril, they might. To say that he only was a professional man who was in practice would be laying down a rule of enormous inconvenience. In the absence of

evidence a man called to the bar was *prima facie* a professional man, and must be assumed to be in practice. It might be that a man might be just called to the bar, and even within a year might not get into practice, and yet, if the contention held good, he was not a professional man. The sums certified must be allowed.

### COURT OF QUEEN'S BENCH.

*Brinsdon v. Allard.*—June 9.

In this case a rule had been obtained by the plaintiff's attorney calling upon the defendant to show cause why he should not pay him the costs of the action. It appeared that the plaintiff had obtained a verdict against the defendant, and the defendant had obtained judgment against the plaintiff in a cross action. The plaintiff then became insolvent, and in the Insolvent Court the parties came to an arrangement by which the plaintiff gave the defendant £10, and the parties gave one another mutual releases. By this means the plaintiff's attorney was unable to obtain his costs either from the defendant or from his own client, who was insolvent. He therefore applied for and obtained the present rule, for the defendant to pay him his costs, upon the ground that he had a lien for them on the judgment, and the defendant could not by entering into this arrangement with the plaintiff deprive the plaintiff's attorney of his costs.

Mr. Manisty, Q.C., showed cause against the rule.

Lord CAMPBELL said, that the rule must be discharged. An attorney had a lien upon the costs, and when he recovered them he might apply them to pay himself what was due; but there was nothing to prevent the parties themselves from coming to an arrangement like the one now in question, though the effect was to deprive the plaintiff of his costs. If there were fraud, or the parties endeavoured by what was called a "juggle" to deprive the attorney of his costs, the case would be different, but there was no ground to suppose that that was the case here.

The other judges were of the same opinion.

Mr. Justice ERLE observed, that a lien was upon a chattel, and the expression "lien on a judgment" and "equitable lien" were metaphorical.—Rule discharged.

### CALLS TO THE BAR.—June 11.

At the sitting of the Court this morning a great crowd of barristers took the oaths on their call to the bar. In reference to the unusual number of barristers so sworn,

Lord CAMPBELL said, he was glad to see that there was no danger of a want of counsel to protect the rights of the Crown and the liberties of the subject.

### NEW QUEEN'S COUNSEL.

Mr. Hinde Palmer and Mr. W. D. Lewis (both of the Chancery bar), and Mr. A. J. Stephens (of the common law bar), having been created Queen's counsel, were this day called to take their seats within the bar.

### COURT OF COMMON PLEAS.

*Jay v. Edwards.*—June 7.

This was an action brought by Mr. Cyrus Jay, an attorney to recover the amount of his bill from the defendant.—£38.

In the course of the trial, while Mr. Joyce was cross-examining the plaintiff as to the payment of counsel's fees and other items in his account,

Mr. Justice CROWDER said that he should think this was a case which might be settled by a reference to the Master.

Mr. Joyce said that it was not a question of amount, and that if the jury should decide that the defendant was liable there would be no difficulty about the taxation, but that the defence was, that the plaintiff had not been employed by the defendant, but that a man named Rice had undertaken the work charged for, and had received money from Edwards and a person named Nyman, which the now plaintiff had shared. An agreement with Rice that the bill should not exceed £20, and that he would only charge costs out of pocket, was also set up.

Mr. Jay having proved his case in the usual way,

The defendant, who is a surgeon in Paddington, was called. He distinctly denied that he had ever retained the plaintiff, or conversed with him upon any law subject. All his dealings had been with Rice, to whom he had paid upwards of £20.

On cross-examination, he said, that on the trial of the cause *Edwards v. Nyman* he did not, to the best of his recollection, say "Rice is clerk to my attorney."

Mr. Lawrence proposed to put the brief in that case with counsel's notes on it into the hands of the witness to refresh his memory. This course, however, was not permitted.



Mr. Nyman also deposed that he had at different times paid upwards of £20 to Rice, for which he produced receipts, two signed "Geo. Rice, for Cyrus Jay," and that on two occasions, when Rice called upon him for money Mr. Jay, waited outside, and they walked away together.

At the close of the case for the defendant Mr. Jay was again called to prove that he had not received any of these sums so paid to Rice, and that at the trial of *Edwards v. Nyman* he heard the plaintiff (the now defendant) swear that Rice was clerk to his attorney.

The learned JUDGE, in summing up, said, that if the plaintiff was to be believed his case was clearly made out. Rice, his clerk, introduced him to Edwards at the Cheshire Cheese, he was there retained by Edwards, and the work charged for, with some exceptions, was done. The evidence of the defendant was, however, diametrically opposed to that of the plaintiff, and one version or the other was untrue. He then went through the case most carefully, and

The jury found a verdict for the defendant.

#### CENTRAL CRIMINAL COURT.—June 13.

The June Sessions of the Central Criminal Court took place this morning at the Old Bailey.

The RECORDER, in addressing the grand jury, said, the most important case is that in which a person named Smethurst was charged with the murder of his wife. The case, from its importance, will require very great attention on the part of those before whom it will eventually come; but the only points it would be necessary for him (the Recorder) to call the attention of the grand jury to would be, that from the depositions it appeared that the deceased had been married to the prisoner but a few weeks, the marriage was a secret one, and without the knowledge of her friends; they went to reside in lodgings, and immediately afterwards the deceased was suffering from diarrhoea, accompanied by vomiting and purging. She was attended by two medical men. The prisoner's was the hand that delivered to the deceased the medicine and food; but the symptoms increased, and from the evidence of the medical men, contained in the depositions, there was nothing in the medicine prescribed by them calculated to produce those symptoms, but, on the contrary, to allay them; the symptoms increased, and the deceased eventually sank and died, but no arsenic was found in the body. The first question would be whether, from the evidence, there was reasonable ground for assuming the arsenic or antimony, or other irritating ingredient, had been administered to the deceased; and if they were satisfied on that point, was there sufficient evidence to suppose it was administered by the prisoner. The medical evidence would show that from an examination of the evacuations, there was found the presence of arsenic in small quantities; and if it had been administered in small quantities, its non-appearance in the body on the first examination might be accounted for, as on the person of the prisoner was found a medicine which would remove the appearances. The jury would, no doubt, have sufficient evidence to justify them in sending the case for trial on the charge of murder.

On the application of Mr. Serjeant Ballantine, the trial was postponed till the next sessions.

#### PROBATE AND ECCLESIASTICAL COURTS.

Two returns lately presented to the House of Commons contain a list of all persons employed in the Probate Court, with their salaries and emoluments; the number of probates granted in England and Wales; the number of contentious cases, showing how many had been heard; the hours of keeping open the registrars' offices, and amount of money received and disbursements made, with the number of grants of administration issued in England and Wales in the year 1858.

Sir Cresswell Cresswell, Knight, the Judge of the Probate Court, and Judge Ordinary, receives £5,000 per annum. Dr. Bayford, principal registrar, £1,500 to £1,600. Messrs. C. J. Middleton, and C. F. Jenner, registrars, £1,500 each; Mr. H. L. Strong, registrar, £1,000. Six principal clerks of seats, £700 each. Principal clerk of corresponding department, £700. Two record keepers, £600 each, provided by 20 & 21 Vict. c. 77; as also a clerk of the papers, £500; and sealer, £300. Other officers in various capacities receive salaries ranging from £80 to £450 each. Mr. R. N. Cresswell, clerk to the Judge, receives £300 per annum; making a total of £20,490 for salaries paid to officials. The amount received applicable to the expenses of the Court was by stamps, 46,092*l.* 12*s.* 3*d.*; by cash from Inland Revenue, 5,720*l.* 8*s.* 3*d.*; total, 51,813*l.* 0*s.* 6*d.*

In the district registries the salaries of the registrars appear to be paid by fees. We give the following extract of the business done at some of the principal registries, and the amount of chief registrar's emoluments. At Birmingham, the number of probates and administration grants were 565; moneys received, 1,761*l.* 16*s.* 7*d.*; salary, £1,300. Carlisle, grants 586; receipts, 1,397*l.* 7*s.* 3*d.*; salary, 1,032*l.* 7*s.* 3*d.*. Chester, grants 660; receipts, 2,128*l.* 5*s.* 1*d.*; salary, 1,418*l.* 10*s.* 9*d.*. Exeter, grants 903; receipts, 2,169*l.* 5*s.* 11*d.*; salary, 1,579*l.* 5*s.* 11*d.*. Lancaster, grants 572; receipts, 1,521*l.* 16*s.* 2*d.*; salary, 1,195*l.* 14*s.* 2*d.*. Lichfield, grants 643; receipts, 1,347*l.* 8*s.* 10*d.*; salary, 1,347*l.* 8*s.* 10*d.*. Liverpool, grants 847; receipts, 2,878*l.* 1*s.* 11*d.*; salary, 2,231*l.* 5*s.* 10*d.*. Manchester, grants 920; receipts, 2,642*l.* 17*s.* 6*d.*; salary, 1,983*l.* 17*s.* 6*d.*. Norwich, grants 657; receipts, 2,075*l.* 10*s.*; salary, 1,523*l.* 17*s.* 1*d.*. Wakefield, grants 1,554; receipts, 3,931*l.* 16*s.* 11*d.*; salary, 2,553*l.* 2*s.* 9*d.*. York, grants 900; receipts, 2,357*l.* 11*s.* 5*d.*; salary, 1,841*l.* 18*s.* The least amount of business done at any one registry is at Chichester, where the number of grants are 118; receipts, 338*l.* 17*s.*; salary, £185. Carmarthen appears to be an exception in some way or other to the general rule. Here the grants are 306; receipts, 1,132*l.* 15*s.* 4*d.*, and yet the registrar held his appointment at a loss of 86*l.* 13*s.* 6*d.*

It is observed that the officers of the principal registry were nearly all connected with the late Prerogative Court, and those in the district with the Consistory or Diocesan Courts, and therefore do not receive any compensation under the Acts for abolishing ecclesiastical courts. Amongst the recipients of annual compensation for loss of office as registrars, the following are the most conspicuous: viz. Rev. Robert Moore, aged 80, 7,990*l.* 2*s.* 5*d.*; Mr. Henry Raikes, Chester Consistory Court, aged 46, 3,498*l.* 8*s.* 4*d.*; Mr. Robert Swan, Lincoln Consistory Court, 1,530*l.* 2*s.* 11*d.*; Mr. Egerton Vernon Harcourt, aged 55, and Mr. Edward William Harcourt, aged 32, joint registrars of the Exchequer and Prerogative Courts, York, 2,008*l.* 2*s.* 8*d.*; Mr. Granville Harcourt Vernon, the judge, aged 65, 1,169*l.* 5*s.* 8*d.* The amount of annuities awarded as compensation to proctors varies from 1,358*l.* 15*s.* downwards, to 3*l.* 5*s.* 11*d.* The total amount of annuities awarded as compensation to judges and other officers in England and Wales, is 40,950*l.* 14*s.* 8*d.*; and to proctors, 60,394*l.* 9*s.* 9*d.*, making a grand total of 101,345*l.* 4*s.* 5*d.*

In Ireland the business of the principal registry is conducted by eighteen officers, at a cost of £8,455; the Right Hon. Richard Keatinge, judge, receiving £3,500, and two registrars £1,000 each. The returns from the district registrars are very incomplete, but would give the salaries or emoluments of the registrars at about £4,000 annually. The largest sum awarded as compensation is to Mr. William Stuart, aged 59, late registrar of the Prerogative Court, Dublin, viz. 2,579*l.* 4*s.* The amount of annuities to judges, &c., here is 7,719*l.* 9*s.* 8*d.*; to proctors, 8,717*l.* 18*s.* 2*d.*; total, 16,437*l.* 7*s.* 10*d.*, which, added to that of England and Wales, will make a grand total amount of 117,782*l.* 12*s.* 3*d.* paid annually as compensation under the Probates and Letters of Administration Acts.

The number of contentious cases in the year 1858 were 380, of which 27 were determined, 67 were disposed of by order or summons, several on motion, and 9 remained set down for trial at the end of 1858. The total number of probates and administrations granted were, in the principal registry, 12,739, and in the district registries 17,612. The hours of keeping open the office are, in London, from ten to three during the four months following September, and ten to four the remainder of the year. The district registries are open from ten till four generally.

The returns give a long list of the persons appointed to office under the said Act for abolishing ecclesiastical courts, and their salaries; also, what other employment, if any, they have had since their appointment, and what office or business immediately previous to their appointment.

#### THE CITY OF LONDON CORPORATION AT COURT

On Saturday afternoon, the Lord Mayor, sheriffs, under-sheriffs, several of the aldermen and common councilmen, presented an address to her Majesty on the war in Italy, and the necessity for neutrality on the part of this country. Her Majesty received the members of the civic body on the throne. The Recorder, Russell Gurney, Q.C., read the documents, which, while it expressed the utmost loyalty to the Sovereign, concurred in the opinion declared in her Majesty's royal proclamation, as to the desirability of England remaining a neutral spectator of the scene of war. Her



Majesty was graciously pleased to receive the address, and to return a reply acknowledging the loyalty and good faith of the representatives of the ancient city of London.

**THE WILL OF BARON DE GOLDSMID.**—The will of the Baron de Goldsmid, with numerous codicils thereto, has been brought into her Majesty's Court of Probate. The personal estate is sworn above a "million," the highest amount in the scale of stamp duties. The will bears date the 15th of July, 1853. It contains a large provision for his widow, and liberal provisions for his daughters. The Brighton and Hampshire estates, with £300,000 to be laid out in other estates, and the mansion of St. John's-lodge (subject to the occupation thereof by the Baroness), are settled upon the eldest son, the present Baronet, Sir F. H. Goldsmid, Q.C., and his male issue; and the Somerhill and other Kent estates are settled upon Mr. F. D. Goldsmid, the deceased's only other son, and his male issue. Among a variety of other legacies and provisions, he bequeaths £3,000 to University College, London, for maintaining Professorships of Hebrew and Geology. The two sons and two brothers of the deceased are appointed executors, and the two sons are made residuary legatees. The deceased was largely interested in Brazilian Stock and other foreign funds, and the testamentary papers give to the executors a discretion extending over a period of ten years for the conversion of those parts of his estate.

**THE WILL OF W. J. BRODERIP, ESQ.**—The will of William John Broderip, Esq., F.R.S., one of the benchers of Gray's-inn, formerly a magistrate of the Thames Police Court, and afterwards a magistrate of the Westminster Police Court, was proved in the London Court of Probate by his cousin, Charles Theobald Maud and John Jenkyns, Esqrs., the executors. The personalty £6,000. The testator has directed that mourning-rings, or some similar token, should be given to his friends, the Earl of Enniskillen, F.R.S., Sir Philip de Malpas Grey Egerton, Bart., F.R.S., and others named in his will. He has left several specific and pecuniary bequests. To each of his executors £100; to his godson, John Maud, a large silver tankard; to Mrs. Shepard and her two sons, each £50; he has also bequeathed to Mrs. Shepard his gold watch, "with jumping hours," and the gold chain and seals. He leaves the residue of his property to his sister for her life; at her decease to be equally divided between the Rev. John Primatt Maud, Charles Theobald Maud, and Mrs. Elizabeth Landon, or their survivors. The will is dated the 28th of January, 1842.

**SHAKESPEARE'S HOUSE.**—In the course of a few days a case will occupy the attention of the Court of Chancery which will have peculiar interest for the antiquarian world and the lovers of Shakespeare. A namesake of the great bard who had accumulated a large fortune bequeathed by will £2,500 for the formation of a museum in Shakespeare's house, at Stratford-on-Avon, and charged his landed estate with an annuity of £60 a-year for the support of a custodian of the house and museum, whose duty it would be to show visitors through them, and to keep a book in which each visitor would be at liberty to write any remarks he might think proper in prose or verse. The trustees, conceiving that the gift of £2,500 might be contested on the ground of uncertainty, have declined to pay the legacy without the direction of the Court, and hence has arisen the litigation.—*Bulletin.*

The Queen has been pleased to appoint William Forbes Mackenzie, Esq., to be Unpaid Commissioner and Chairman of the General Board of Commissioners in Lunacy for Scotland, in the room of Viscount Melgund, resigned.

Mr. J. P. Grant has been appointed Lieut.-Governor of Bengal, and it was reported that Mr. Beadon will succeed Mr. Grant in the Legislative Council, Mr. Beadon himself being succeeded by Mr. Devereux.

**THE CLOCK AT THE WESTMINSTER PALACE.**—Last week the clock in the clock tower of the Westminster Palace was set in motion, but the hands on two of the dials only acted effectually—viz., those on the west and north sides. No hour was struck, nor were the quarters chimed. The cause of the hands referred to not acting is stated to be that the machinery by which they are turned is not of sufficient power to put all in motion, and that it will therefore be necessary to remove them and put up others of a lighter construction. It will, we believe, be some time yet before the machinery can be attached to the bells upon which the hours and quarters will be struck.

## Notes on Recent Decisions in Chancery.

(By MARTIN WARE, Esq., Barrister-at-Law.)

### COSTS—ATTORNEY-GENERAL.

*Attorney-General v. Hammer*, 7 W. R., L. J., 483.

This case deserves a note principally because there has been some misunderstanding about it in the public mind, as though it had decided that notwithstanding the late Act, 18 & 19 Vict. c. 90, the Crown could not be made to pay costs of proceedings in equity. This is far from being the case. The present information was filed before the passing of the Act in question, against Sir J. Hammer, but some other defendants were made parties by amendment after the passing of the Act. The effect of the decision was, that as to the new defendants the Court had power to give them their costs against the Attorney-General under the Act, but as to Sir J. Hammer, the Act did not apply, and the old authorities were too strong to enable the Court to give him his costs.

### COSTS—ISSUE DEVISAVIT VEL NON.

*Stacey v. Spratley*, 7 W. R., L. J., 485.

Another case relating to costs may be here noticed. It is well known that as a general rule an heir at law whose title is impeached in a suit in Chancery by a devisee, has a right to an issue at law *devisavit vel non*. It is also a well-established principle that the probate of a will in the Ecclesiastical Court is not binding on the heir in a question relating to the real estate. The Lords Justices, therefore, on a former occasion granted an issue at the instance of the heirress at law in this case, although the will had been established in the Prerogative Court, and afterwards on appeal by the Judicial Committee of the Privy Council. The issue having terminated in the same way as the suit in the Ecclesiastical Court, namely, in establishing the will, it was contended that the heirress at law, although she was entitled to the issue, took it at her own risk; and as she was herself a party to the proceedings in the Ecclesiastical Court, as one of the next of kin, it was frivolous and vexatious conduct to contest the same will again at law, and that she ought therefore to bear the whole costs of the unsuccessful issue. On the other hand, it was contended that the fact of the heirress at law having a right to the issue implied that it ought to be at the cost of the devisee. The Lords Justices were of opinion that the costs of the issue were entirely in the discretion of the Court who granted it, and they decided in the present case that the parties should each bear their own costs. It may therefore be taken to be decided, that, although the costs of an issue are in the discretion of the Court, it will require a strong case to induce the Court to make the heir at law pay the costs, if unsuccessful; and that the mere fact that the heir was party in another character to the investigation in the Ecclesiastical Court will not make the Court of Chancery think him unreasonable or vexatious if he desire to try the chance of a fresh investigation in another forum.

### JOINT STOCK COMPANY—WINDING-UP ORDER—ILLEGALITY.

*Re London and Eastern Banking Corporation*, 7 W. R., V. C. W., 483.

This is a decision that there is nothing in the illegal manner in which a company has been carried on to prevent its being wound up under the Winding-up Act, provided the company was not illegal in its inception. The company in the present case was a banking corporation, and it had commenced and carried on business before the proper amount of capital had been subscribed, and the Court of Bankruptcy had therefore decided that the directors had no power to commence business, and could not recover any of the assets. The Vice-Chancellor, however, held that this was no objection to a winding-up order, but, on the contrary, was rather an argument in favour of it. He drew the distinction between a company which was in its nature illegal, and one which had been good in its inception, but had been fraudulently and illegally carried on. Where contribution between the partners was sought in respect of a contract for partnership illegal in its inception, in such a case there would be no right of contribution. But to say that contribution could not be obtained because the directors had misconducted themselves, would be to render the Court ancillary to effecting injustice.

**JUSTICES OF THE PEACE.**—A list of Justices of the Peace in England and Wales since 1850, published on Friday, fills a Parliamentary paper of eight pages.

## Notes on Recent Cases at Common Law.

(By JAMES STEPHEN, Esq., Barrister-at-Law, Editor of  
"Lush's Common Law Practice," &c., &c.)

## NOMINAL PLAINTIFF—COSTS.

*Samuel v. Bate*, 7 W. R., Exch., 450.

In this case the cause of action was a bill of exchange for less than £20; which, being overdue and unpaid, the holder thereof was desirous of putting in suit in the superior court, instead of the county court for the district. In order to do this with safety, as regarded costs, he indorsed it over to the plaintiff, who happened to live more than twenty miles from the party to be sued on the bill, and who, consequently, had his choice to commence the action, either in the county court or in the superior court. This was by 15 & 16 Vict. c. 54, s. 4, which in effect enacts, that whenever an action is brought in the superior court, in which the plaintiff would not be entitled to recover costs, by reason of 13 & 14 Vict. c. 61, s. 11, were it not that in such action the county court and superior court have a concurrent jurisdiction under 9 & 10 Vict. c. 95, s. 178 (as where the defendant and plaintiff reside more than twenty miles apart),—the judge trying the cause shall make an order that the plaintiff shall recover his costs. In the present case, the action being for a debt below £20, was directed to be tried before the sheriff under a writ of trial; and the under sheriff, acting as his deputy in such trial, gave a certificate for costs to the plaintiff, after the attorney who had appeared for the defendant at the trial had left the court. Upon an application to set aside this certificate, the Court of Exchequer held, 1. that it was immaterial that the application for costs was made in the absence of the other side; 2. that it was immaterial that the bill had been indorsed to the plaintiff for the purpose, merely of receiving the costs of the action by the artifice above described; and 3. that the under sheriff having given his certificate, the Court saw no ground for their interference.

The success of this experiment appears to be somewhat dangerous, for it is not easy to see any sufficient check against abuses of this nature; nor why the wholesome provisions of the County Court Acts, with regard to costs of actions needlessly brought in the superior courts, should not be evaded with impunity whenever a nominal plaintiff can be put in the place of the real complainant. It may be conjectured, however, though it does not so appear in the report, that the Court was not satisfied of the truth of the defendant's allegations as to the object of the indorsement to the plaintiff.

## ARTICLED CLERK—EFFECT OF BREAK IN SERVICE.

*Ex parte Smith*, 7 W. R., Q.B., 451.

This was an application to the Court for the examination of one, H. S., to be allowed, who had served under articles to his father more than four years and a-half; and who then, after a break, during which he filled certain appointments, served his father as clerk (but not under articles) for a further period, making up altogether the requisite five years. The difficulty felt by the Court in considering this request was, that in the statute (6 & 7 Vict. c. 73, s. 3) the expression used is, that no person shall, after the passing of this Act, be capable of being admitted and enrolled as an attorney or solicitor, unless he "shall have been bound by contract in writing to serve as clerk for and during the term of five years," and shall, after the expiration of the said term of five years, have been examined, &c. And, accordingly, it was held, in *Ex parte Bruton* (1 Bail. C. C. 319), that service under an agreement to enter into articles was insufficient. So, in an earlier case, under the 22 Geo. 2, c. 46, s. 8 (to the same effect as the enactment now in force), it was held, that service for five years, under articles to A. (two years of which were valueless, by reason of the clerk's having, at the same time, followed another occupation), could not be coupled with a supplementary service for two years under articles to B. (*In re Taylor*, 4 B. & C. 341). In the present case, however, as it appeared that the first articles had been cancelled by mutual consent, the Court allowed the applicant (it is presumed under s. 13) to complete his service under fresh articles, now to be entered into. It is apprehended that for this, however, no leave of the Court was required, as it has been held that the service under the fresh articles need not be continuous to that under the original ones. (See 1 "Chitty's Arch. Pr.," Introd. c. vi.)

## ACTION FOR FALSE IMPRISONMENT, LIABILITY FOR.

*Grinham v. Willey*, 5 W. R., Exch., 463.

The question raised in this case is an important one; viz.

whether a man who has been robbed, by signing "the charge sheet," on the request of a police-officer, to whom he has complained of the injury, becomes liable for the consequences of an arrest by the officer on suspicion, the indictment being afterwards thrown out by the grand jury. The Court of Exchequer were unanimously of opinion, that these circumstances gave the party so arrested, no right of action for false imprisonment against the party who had been robbed. They said, that merely signing the charge-sheet by the direction of the constable did not amount to giving the plaintiff into custody; and that all beyond this which the defendant did, he had a right to do, viz. to give the officer a faithful account of the manner in which he had missed his property. The Barons, moreover, referred with approbation to the language used in the Exchequer on a former occasion (*Gosden v. Elphick*, 4 Exch. 445), to the effect, that it is of importance to protect the public against liability for calling in the constituted authorities of the country.

The present action seems to have been commenced in reliance on a nisi prius ruling of Lord Ellenborough (*Fleuster v. Royle*, 1 Camp. 187), to the effect that, where A. bona fide avers to C. (an officer), that B. is liable to be arrested, who in truth is not so; and B., in consequence of that information, is arrested by C.: A. is liable to an action for false imprisonment at the suit of B. To the authority of this case, however, as reported, *Rolfe*, B., demurred in *Gosden v. Elphick*; and by the present case, it may be taken to be completely exploded, it being of course understood that the information given, though mistaken, was not mala fide, nor without reasonable or probable cause.

This case appears to come under the same class as that of *West v. Smallwood* (3 Mee. & W. 418), in which it was discussed whether the defendant made himself liable to the plaintiff (who had been improperly arrested, in excess of jurisdiction on a magistrate's warrant, granted on the defendant's complaint,) by going with the constable to point out the plaintiff. See also *Freagard v. Barnes* (7 Exch. 827), and *Brown v. Chapman* (6 C. B. 365).

## Parliament and Legislation.

## HOUSE OF LORDS.

Friday, June 10.

BILLS READ A SECOND TIME.  
VEXATIOUS INDICTMENTS BILL.  
DEBTOR AND CREDITOR BILL.  
THE COMPANIES BILL.

BILL READ A THIRD TIME.

THE LAW OF PROPERTY AND TRUSTEES RELIEF AMENDMENT BILL.

## HOUSE OF COMMONS.

Friday, June 10.

## APPOINTMENT OF MAGISTRATES.

Mr. G. CLIVE gave notice that on an early day he would ask for leave to bring in a Bill to amend the law relating to the appointment of magistrates.

## THE ADDRESS.

The adjourned debate on the Address was then resumed, and the House divided, when the numbers were—

For the amendment .....	323
Against it .....	310

Majority against the Government... 13

Saturday, June 11.

The House adjourned till Friday, the 17th inst.

ELECTORAL CORRUPTION AT NORWICH.—The committee appointed by the Norwich Town Council to consider the prevalence of bribery at Parliamentary elections for that city have adopted a memorial to the Government praying that a commission may be issued for taking evidence on the subject on the spot, as was done at Hull, Barnstaple, St. Alban's, and other places. The proposed memorial will be submitted for adoption at the next meeting of the Council.

## Communications, Correspondence, and Extracts.

### ATTORNEYS AS AGENTS.

To the Editor of THE SOLICITORS' JOURNAL AND WEEKLY REPORTER.

SIR,—As the case of *Scott v. Miller* is of considerable importance to our profession, it may not be out of place to offer some considerations upon that undoubtedly correct judgment.

The agreement therein proved appears to me to be clearly not within the Act of Parliament which prohibits an attorney from acting "as agent" for an unqualified person. The attorney here was the principal, to all intents and purposes; the client would know no other, and there would without doubt be mutual rights and liabilities between them. The statute evidently has in view the practice of doing through another what a man would not be qualified to do himself. But the doing of the business for a third party, the supposed adviser of the client, and doing it for the client directly, and then, by a transaction with which the latter has nothing to do, handing a compliment, encouragement, or whatever worse name it may have, to the introducer of the business, are very different things. Nor does the attorney in such a case "permit his name to be used," for no one but himself uses it at all; though I dare say that this part of the case was not seriously debated.

I do not see either any reasons against these contracts on the general policy of the law. A tradesman, merchant, or banker, may, and often does, give his clerk a commission on the business done. Such an arrangement operates very beneficially to all concerned, and is not supposed to be a stretch of the natural rights of any of the parties, or *infra dig.* even in large establishments. Then why may not a lawyer and his clerk do as they please in a similar matter? If they may, surely the fact of the recipient not being a clerk can make no difference. Such a case may amount to "barratry" and be illegal; but the recommending of an individual or firm to conduct a dispute already ripe for the lawyers, cannot be a getting up of suits for profit, still less should it subject the parties concerned to the severe penalties of a jealous statute.

A transaction like the above may not be pleasant to the feelings of the client, if ever he comes to hear of it, and the term which is usually applied to advertising and touting for business may not be inapplicable to this proceeding; but to put it under the ban of the law seems to me to be carrying conventional rules far beyond the limits of expediency.—I am, Sir, your very obedient servant,

LIBERTAS.

7th June, 1859.

### ENGLAND IN THE WAKE.

(From the *Upper Canada Law Journal*.)

Sir R. Bethell's perseverance has triumphed, and the profession is indebted to him for the adoption by the Inns of Court of that which has been so long demanded, a compulsory examination into general acquirements before admission as a student; and an examination into the aspirant's legal qualifications before his call to the bar.

Our first Parliament was assembled in 1792, and the Legislature at once declared that the laws of England should be the rule for the decision of all controversies relative to civil rights, &c. In 1797 a law society was incorporated by Act of Parliament, and since then no person is in general permitted to practise at the bar of any of her Majesty's Courts in this country, unless he has previously been admitted into the society as a student of the laws, been five years on the books, and conformed himself to the rules and regulations of the society.

By the rules of the society, no person can be admitted as a student unless found, on a full and strict examination, to be by habits, character, and education, duly qualified for admission. The student must attend a prescribed course of lectures, and, after remaining on all the books of the society for five years, must again submit to an examination as to his legal and general attainments, and if found properly qualified for call, he is admitted to the degree of barrister-at-law. The course prescribed by the society was from the first respectable; late rules have wisely enlarged the requirements.

The Law Society of Upper Canada was incorporated, in the words of the preamble, for the purpose of securing to the province a learned and honourable body to assist their fellow-subjects and support, and maintain the constitution. It was well calculated to insure the respectability of the profession, and has most satisfactorily fulfilled its object.

The members of the Upper Canada bar were and are what they profess to be, having in very deed been students of the

laws, and having been on examination found qualified for call, upon being called to the bar they come before the public duly accredited as lawyers in reality.

In England the same title, the same social position, the same honours, are permitted to the ignorant as to the educated, and the whole class may well be said to be degraded by the uncertainty as to whether its members are what they profess to be. The required number of dinners *must* have been eaten, that is all. But as we said before, many other law reforms were carried into practical operation here years before they were adopted in England,—two occur to us at this moment—the absconding debtors' law, which has been in force with us for more than twenty years; and the general system of local judicatories, which was established in Upper Canada in 1847, just five years before the same system was introduced into England; for the division courts of Upper Canada and the county courts of England are almost identical as systems of local jurisprudence, and very similar in all their details.

THE MUNICIPAL FRANCHISE AND THE COLLECTION OF RATES.—A report from the select committee of the House of Lords appointed to inquire into the operation of the Act 13 & 14 Vict. c. 99, for the better assessing and collecting the poor-rates and highway-rates, in respect of small tenements, and of the Act of last session, c. 43, to amend the municipal franchise in certain cases, was published on Wednesday, in the form of a blue-book of 200 pages. The committee refer to the 9th and 11th clauses of the Municipal Reform Act (5 & 6 Will. 4, c. 76) of 1835, and the Act of 1850 "for the better Assessing and Collecting the Poor-rates and Highway-rates in respect of Small Tenements." This latter Bill was intended for parochial purposes, and was framed to enable such parishes as should think proper to adopt its provisions to rate the landlords instead of the occupiers of all tenements, of which the rateable yearly value should not exceed £6. A certain clause, however, was introduced, providing that "where the owner of any small tenement shall be rated to the relief of the poor in virtue of this Act, instead of the occupier thereof, and such owner shall have paid all money due on account of such rate or rates, in respect of such tenement, such occupier shall be entitled to all municipal privileges and franchises to which, by virtue of the said Act, 5 & 6 Will. 4, he would have been entitled if he himself had been rated, and had paid such rate or rates." By this clause a great change was effected in the system of municipal government, as established by the Act of 1835. The character and class of the new voters thus introduced is next considered by the committee, and it is found that the result of the clause has been, in many cases, to transfer the power of electing those who are to manage the municipal funds from the persons who pay the rates to those who, at most, only bear indirectly an insignificant proportion of the burden, and sometimes pay nothing to the municipal revenues. And, while there is no doubt that the Act of 1850 has worked well in facilitating the collection of rates, it is clear that it has produced, wherever large numbers of small tenement occupiers have been admitted to vote, a serious deterioration in the character of the constituent body. In short, the evils produced by the clause which enfranchises occupiers whose rates are paid by the landlord are so serious, that the committee recommend its repeal, and the substitution of a provision to enable the occupier of a tenement rated at less than £6 to claim to be rated on the same terms as the landlord, and, being so rated, and having paid the rates, to be entitled to have his name placed on the burgess roll. The committee are further of opinion that, as a test of fitness to take part in municipal affairs, as well as a security against corrupt and fraudulent practices, actual, direct, and continuous payment of rates should be the indispensable condition of the municipal suffrage. At the same time they are aware that in some instances where the occupiers are directly rated, and thus entitled to vote as ratepayers, the landlords do in fact, by arrangement with the overseers, pay the rates; and that the fact of being on the register for three years as a ratepayer does not, therefore, in all cases, prove that the voter has really and directly paid the local taxes during that period. The practice now mentioned has been adopted at Exeter and South Molton, although the Small Tenements Act is not in operation, and probably in some other towns; it does not, however, appear likely to prevail very extensively, inasmuch as in these cases the overseers have no legal claim except against the occupier; and it is hardly probable that rates, not legally due from them, could be generally collected from a large number of landlords. The committee, therefore, recommend an adherence to the qualification prescribed by the Municipal Reform Act of 1835.



### The Provinces.

**SHEFFIELD.—Election of Town Clerk.**—The election of Town Clerk for Sheffield, vice Mr. Bromley, resigned, took place, at the monthly meeting of the Town Council, on the 8th inst. Six candidates were nominated, namely, Mr. John Yeomans (of the firm of Hoole & Yeomans), Mr. William Smith, Mr. Arnold Parker, Mr. John Chambers, Mr. Blackwell, and Mr. Ryalla. None of the four last-named candidates received more than five votes, the contest lying between Messrs. Yeomans and Smith. Mr. Yeomans was elected by a majority of one, the numbers being for Yeomans 25, Smith 24.

**SWANSEA.—Appointment of a Stipendiary Magistrate.**—At a meeting of the Town Council last week, a very animated discussion took place with reference to the Home Secretary's objection to comply with the recommendation of the Council that Mr. D. W. Evans should receive the appointment; it was ultimately resolved to rescind the resolution for the appointment of a stipendiary justice by eleven votes to ten.

### Ireland.

#### PRESENTATION OF PLATE TO JOHN BENNETT, ESQ., SOLICITOR.

A respectable and numerous assemblage met at the Commercial-buildings on Friday, to witness a presentation of valuable plate to John Bennett, Esq., solicitor, by the Committee of Merchants of Cork, in testimony of his zeal and professional services in support of the commercial interests of the city. There were present a large number of merchants and professional and non-professional gentlemen.

Mr. E. BURKE, as President of the Committee of Merchants, having taken the chair, said:—It gives me great pleasure, I assure you, to meet here so distinguished an assemblage, on this very gratifying occasion, to pay a marked and deserved compliment to a gentleman whom we all so highly esteem as Mr. Bennett. The Chairman then turned to Mr. Bennett, and said:—The mercantile community are indebted to you for the devotion of much of your valuable time and consideration during many years past. The legal ability, sound judgment, and earnest zeal which have characterised the discharge of your duties as our solicitor on occasions involving the rights and interests of some important branches of our local commerce, have from time to time called forth our warm approbation.

The Chairman then presented Mr. Bennett, amid loud cheers, with two valuable and massive silver claret jugs and an elegant inkstand of the same material. The claret jugs bore the following inscription:—“Presented by the Committee of Merchants to John Bennett, Esq., in acknowledgment of his great zeal and valuable professional services in support of the commercial interests of the city.”

Mr. BENNETT, on rising to respond, was received with loud cheers. He said:—Mr. Chairman, my Lord Fermoy, and gentlemen, for the past thirteen years I have almost become familiarized with expressions of approbation and acts of kindness at the hands of the committee of merchants, but to-day how much beyond the intrinsic value of those splendid gifts—how much beyond any anticipation I could venture to form of the compliment intended to be paid me in the demonstration presented by this assembly. I see here many of the lieutenants and magistracy of the county, with their respected Lord Lieutenant at their head. I see here the mayor of my native city and many of its distinguished and honoured magistrates. I see here our oldest and most extensive merchants, presided over by you as the representative of a house of old and world-wide reputation. I see here shipowners whose property is counted by thousands of tons. I see here clients, high and low, of every class and every creed, and, at this time of local political agitation, every complexion of political opinion. Surely this is a demonstration of which any man, however high his rank, may be justly proud.

#### THE POLITICAL CRISIS—THE LAW APPOINTMENTS.

In twenty-four hours the law appointments, consequent on a change of Ministry, will have been made; and it is scarcely worth while to hazard a conjecture as to what they will be. Some persons think that the claims and long services of the Right Hon. M. Brady will be fully recognised, and that he will resume his former seat as Chancellor of Ireland. Others are of opinion that the chancellorship will devolve upon the Right Hon. A. Brewster, known to politicians as the most distin-

guished Irish adherent of the “Peelite” party, and to lawyers as the foremost member of the Irish bar,—both as regards variety of attainments and extent of practice. Were neither of those eminent persons selected, the choice would doubtless fall upon Mr. Justice Christian, who, about two years since, left the Chancery bar, of which he was the chief ornament, for a pulsing seat in the Common Pleas, and who has since demonstrated practically that an equity practitioner may become a first-rate common law judge. There are at present four lawyers living who have presided in the Irish Court of Chancery—namely, Lord St. Leonards, Lord Campbell, the Right Hon. Francis Blackburne, and the Right Hon. Maziere Brady, and to these will in a few days be added the name of the Right Hon. Joseph Napier.

The law officers of the Crown will probably be Mr. J. D. Fitzgerald, M.P. (formerly Attorney-General) and Serjeant Deasy, the able representative of Cork County. Mr. H. G. Hughes, Q.C., is not now in Parliament, or he would, doubtless, be very high on the list. The important post of “law adviser” will probably again devolve on Mr. J. A. Lawson, Q.C., one of the most rising members of the bar, and one who may expect, in course of time, to fill the highest offices in the law.

The *Morning News* has the following not very complimentary remarks on the effects produced by the Ministerial crisis on the *habitudes* of the Four Courts:—

“THE MINISTERIAL DEFEAT.—Time was when the gentlemen of the Irish bar entertained political opinions well defined and deep-seated, and maintained them consistently and with manly vigour. Now, however, a change of government brings a miraculous conversion, change of opinion, and the man who to-day proclaims himself a ‘Conservative,’ to-morrow will profess to be a ‘Liberal,’ if circumstances should render such a change desirable. *Tempori parandum*, the favourite maxim of the Emperor Theodosius II., might almost be emblazoned without the Four Courts, as the motto universally adopted by those who, in forensic attire, swell the expectant crowd in the *salles des pas perdus*. Probably on no former occasion was this state of things more strikingly illustrated than on the occasion of Lord Derby's latest defeat. Up to the last moment there was just the possibility that a Government majority, however small, might have been secured, and the dreaded moment of secession from office be avoided. On Friday, men who had assisted the Derbyites at the general elections, declared their utmost faith in the stability of the Ministry of their *quasi* attachment. Saturday came, and with it the news of the division. Instantly ‘a change came o'er the spirit of their dream,’ and those very men, whose loyalty to Conservatism did not dare be questioned four-and-twenty hours previously, transferred their homage to the rising sun, and joyously enunciated the concise but expressive phrase—‘We're in.’ The office-bearers under the Palmerston Administration, and their relatives and ‘connections,’ looked radiantly hopeful, and formed the centres of admiring circles of the *habitués* of ‘the hall.’ A settled gloom, the deeper by contrast with the neighbouring joy, was observable in the Tory officials, and those who had ‘claims’ which yet remained unrecognised.”

#### DEATH OF JUDGE MACAN.

We regret to announce the death of the Hon. Judge Macan, first judge of the Court of Bankruptcy and Insolvency, which happened on Wednesday morning, at Kingstown. He had transacted business in his court during the whole of the previous day, and appeared in his usual state of health up to the time of retiring to rest, after which he was not again seen alive. He died during the night; and in consequence of the suddenness of his decease an inquest was held yesterday, at which it was proved that he suffered from disease of the heart. The coroner declared an examination unnecessary, and a verdict in accordance with the facts was immediately returned.

John Macan was a native of the county of Sligo, and after a successful university career, was selected by the late Lord Plunket to assist in the education of his sons. He was called to the bar in 1815; and his ability and high character, combined with Lord Plunket's steady friendship, advanced him to the rank of King's Counsel, and afterwards to the commissionership of the Court of Bankruptcy, on its creation about twenty-two years since. No better appointment could possibly have been made. The unremitting exertions of this sound lawyer, and most upright and conscientious man, have rendered that court a model for others. The Act of 1857, which united bankruptcy and insolvency, and introduced other important changes in the administration of bankruptcy law, has had the effect of vastly increasing the business of the court; and the increased salary and higher rank conferred by that Act on the

now deceased judge, but poorly compensated for the additional labour which has since that period devolved upon him. The emoluments of the judgeship are £2,000 a-year. His death may fairly be attributed to his increase of exertion at a time of life when the frame requires more and not less of rest and relaxation. Judge Macon leaves behind him a very high and cloudless reputation, and his loss will be much regretted by the profession and by the mercantile public. In private life he was a thorough gentleman of the old school; and it was interesting to hear him narrate his reminiscences of the palmy days of the Irish bar. As a bencher of the King's Inns he was distinguished by his desire to promote legal education, and by his attention to the interests of the society, and particularly of its fine library.

It is reported that Judge Plunket, the second judge of the Court of Bankruptcy, sent his resignation on Saturday to Lord Eglinton, but that his Excellency declined to receive it. Judge Plunket is seriously ill, on which account, coupled with the lamented death of Judge Macan, the Court of Bankruptcy was closed. Insolvents brought up for discharge and for bail had to be sent back to the Marshalsea.

**THE DUBLIN MAYORALTY FOR 1860.**—Alderman Curran has given notice that at the meeting of the Town Council on the 1st of July, he will move that Mr. Rodmond Carroll, solicitor, Summerhill, be nominated Lord Mayor for the ensuing year.

**VOLUNTEER CORPS.**—The *Limerick Chronicle* states that the law adviser at the Castle has given it as his opinion that the Act for raising volunteer corps does not extend to Ireland, and that, consequently, a short bill will be at once brought into Parliament to remedy this defect.

**ACTION AGAINST MR. SERJEANT SHEE.**—In the Court of Queen's Bench, Mr. Serjeant Shee has obtained leave to plead in an action brought against him by Mr. George Henry Moore, ex-member for Mayo. The action was one for a libel stated to have been published in the *Waterford News*, and the libel complained of in substance charged Mr. Moore with harsh and unjust conduct towards his tenantry. To this the defendant desired to plead—first, a denial of publication of the libel; secondly, a denial of the defamatory sense imputed; thirdly, a justification to the first paragraph of the summons and plaint, arising out of certain Chancery matters; and, fourthly, a similar justification to the second paragraph.

## Scotland.

### EDINBURGH COURT OF SESSION.—SECOND DIVISION.

#### AN ENGLISH BANKRUPT'S DOMICILE.

*Joel v. Gill.*

One of those celebrated cases of an Englishman coming and residing in Scotland for forty days, to obtain a discharge under the Scotch Bankrupt Act, has been again the subject of decision, the Court holding that the forty days' residence does constitute a Scotch domicile in the sense of that Act, although the bankrupt admits that he has come to Scotland on purpose to take the benefit of the Bankrupt Act. The case was that of William Gill, an English barrister, who took up his abode at Tobermory, in the island of Mull, for forty days. He had only one Scotch creditor, and that creditor had his debts secured. Mr. Joel, an English Jewish creditor, residing at No. 58, Pall Mall, London, petitioned for recall of the sequestration on various grounds, two of which have been successful in the Outer House, but overturned in the Inner House. Lord Benholme recalled the sequestration on the ground of incompetency in the designation, there being no mention that he was a barrister-at-law, residing at Bayswater. It was held in the Inner House, that the designation, though not very complete, was not inaccurate. The case was remitted back to Lord Ordinary Kinloch, and the question involved is, whether residence in Scotland for forty days prior to the date of the petition for sequestration renders a person "subject to the jurisdiction of the supreme courts of Scotland" in the sense of the Bankruptcy Act, and entitles him as such to obtain sequestration in Scotland. Lord Kinloch held, that sequestration in such circumstances was incompetent, as the domicile was constituted fraudulently, and only for the purpose of obtaining sequestration. The Inner House unanimously reversed his finding, and held that the bank-

rupt, at the time of presenting the petition for sequestration, was subject to the jurisdiction of the supreme courts of Scotland.

The Lord Justice Clerk said, the question for the Court to determine is, whether this case falls within the statute; and if it does, we are bound to administer the law, in disregard of all considerations of alleged equity or expediency. It would be, indeed, subject of regret, were a diligence so general and important in its effects, to depend on its competency on anything less unbending than a statutory rule. The bankrupt in the present case is not a trader; he is an Englishman, and an English barrister. All his creditors, with one exception, are in England. His sole connection with Scotland is residence for forty days continuously, previous to the date of presenting his petition; and he admits that this residence was assumed, for the express purpose of qualifying him for sequestration. It may seem very startling and inexpedient that an insolvent person should be entitled to make choice of a country for sequestration, and thus alter the right of his creditors, and obtain immunities for himself; but the case must be decided according to the statute, no matter whether or not such a decision is in opposition to the principles of international jurisprudence. The clause of the Act, upon the construction of which this case depends, which allows sequestration to be awarded of the estate of any person, is—"In the case of a living debtor, subject to the jurisdiction of the supreme courts of Scotland." The only question is, what in the sense of the Act renders a person subject to the jurisdiction of the supreme courts. To satisfy the requirements of the Act, it is sufficient if the debtor, at the time of presenting his petition, is subject to the jurisdiction. The foundations of general jurisprudence are domicile in reference to jurisdiction in personam, and property in reference to jurisdiction in rem. The bankrupt had no property; and the question is, was he subject to the jurisdiction of the supreme courts of Scotland *ratione domicilii*. Domicile in this sense, according to *Erskine* and *Huber*, means the place of residence, whether permanent or temporary. According to these text writers, bare residence is sufficient to found jurisdiction. It is nowhere laid down that real domicile in the true sense of the term is requisite to found jurisdiction. The general principle being, that residence according to the law of all countries founds jurisdiction; it is for each country to fix what period of residence is to be held sufficient. Our law has fixed on forty days' continuous residence at one place as being sufficient to found jurisdiction *ratione domicilii*. It is here admitted that the bankrupt resided in Tobermory continuously for forty days, immediately before making his application, and that this was his only house and residence for that time; he then occupying or possessing no other house in England or elsewhere. If such a period and kind of residence is not sufficient to found jurisdiction, there is no other that can be held to be so, except that which constitutes the true domicile. The Court have been warned that serious consequences may flow from such a judgment as now pronounced; if so, they spring solely from the Act and the innovations introduced by it.

**LAW OF MARRIAGE IN FRANCE.**—The Civil Tribunal of the Seine has just decided in a case, *Madame X—v. the Mayor of the 10th arrondissement*, that a foreign woman legally divorced in her own country cannot during her first husband's lifetime—although he is also a foreigner—contract a second marriage in France, where, since 1816, the law does not permit a divorce under any circumstances whatever.

**BANKING IN NEW SOUTH WALES.**—The latest official return, made under the authority of an Act of the local Legislature, exhibits the following results with respect to the banks of New South Wales:—Liabilities—notes in circulation, £900,082; bills in circulation, £32,003; balances due to other banks, £222,409; deposits, £4,408,397; total (including fractions), £5,562,893. Assets—coin, £1,665,659; bullion, £15,412; landed property, £189,896; notes and bills of other banks, £38,336; balances due from other banks, £679,170; notes and bills discounted, and all other debts due to the banks, £5,253,628; total (including fractions), £7,842,104. The paid-up capital of the eight banks to which the return refers was £5,350,000; the collective amount of the dividends last paid was £374,097; and the amount of reserved profits at the time the dividends were declared, £1,193,168. Three of the banks under review, the New South Wales, Australasian, and Union of Australia, declared dividends at the rate of 20 per cent.; the Commercial paid 17 per cent.; the Australian Joint Stock and the Oriental, 10 per cent.; the London Chartered, 6 per cent.; and the English, Scottish, and Australian, 4 per cent.

## Societies and Institutions.

## METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

At a recent meeting of the managing committee of this association, the secretary read the following report of a deputation from their body, who had been appointed to wait upon Lord St. Leonards, upon the subject of his Bill to amend the Law of Real Property and to Relieve Trustees.

"In pursuance of the directions given at the meeting of the managing committee, held on the 11th May, the secretary wrote to Lord St. Leonards, to ascertain when it would be convenient to his Lordship to receive a deputation. A very courteous reply was received from Lord St. Leonards to this letter, appointing a day for the reception of a deputation at his residence at Boyle Farm. Accordingly on Friday, the 28th May, Mr. Beaumont, the chairman of the committee; Mr. Kennedy, of London; Mr. Livett, of Bristol; and Mr. Rawlings, of Birmingham; accompanied by the assistant secretary, waited on his Lordship.

"Mr. Beaumont expressed the interest felt in the proposed measure by the members of the Association, and the profession generally, and stated that the committee trusted that his Lordship would re-introduce the Bill in the approaching session of Parliament. He explained the wish of the committee to bring under his Lordship's consideration certain amendments which, in their opinion, were calculated to increase the value of the Bill, without, however, desiring to press any suggestions which were likely to be an impediment to its passing, adding that the Association would be happy to render any assistance in their power to promote the carrying of the Bill into law.

"His Lordship kindly discussed the Bill, clause by clause, explaining the amendments which had been made since it was first drawn, referring also to a communication from the Association, containing suggestions for further amendments, which had been originally made by Mr. Livett. His Lordship discussed these amendments with Mr. Livett, and also entered fully into the examination of some suggestions and proposed amendments in the 30th & 32nd clauses of the Bill made by Mr. Kennedy. The printed Bill, altered in accordance with all these suggestions, was left with Lord St. Leonards; who kindly promised that he would give them his consideration. But he stated that as every clause of the Bill had already been discussed and settled in committee in the House of Lords, and the Bill had only passed after much contest, he felt that unless he could, on reintroducing it, tell their Lordships that it was substantially identical with the Bill passed by them last session, he had little hope of being able to get it through their House. He, however, referred in a special manner to the 28th clause, which provides for the punishment of a vendor, or his solicitor, for a fraudulent concealment of deeds, &c.; and admitting the great importance of properly considering the position of solicitors, stated his intention to substitute for the word 'fraudulently' the words 'with intent to defraud.' And to introduce after the words 'concealing any settlement, deed, will, or other instrument,' the words 'material to the title.'

"His Lordship also pointed out a few other minor alterations which he thought could be advantageously made, and advised the Association to present a petition in favour of the Bill to the House of Commons on its reaching to a second reading in that House.

"In conclusion, while the deputation appreciate the value of the amendments referred to, they fear that they will not completely meet the difficulties to which it is apprehended that the 20th clause will give rise. With this qualification, however, the deputation would recommend to the committee the adoption of Lord St. Leonards' advice, and would suggest that in addition to a petition being presented by the Association, the various local Law Societies should also be invited to petition in favour of the Bill."

The committee resolved that the report of the deputation should be adopted, and its recommendation carried into effect.

## KENT LAW SOCIETY.

The annual general meeting of this society was held at the Ship Tavern, Greenwich, on Wednesday, the 8th inst. Amongst the members present were John Monckton, Esq. (Maidstone) president, Messrs. Case, secretary, Hoar, treasurer, Goodwin, Hughes, Kipping, Mercer, J. B. Monoton, and Scudamore (Maidstone), A. K. Bristow, M.P., W. Bristow and Smith (Greenwich), Marchant (Deptford), Pidcock (Woolwich), Hayward (Dartford) Hilder and Sharland (Gravesend), Hills (Chatham), Aeworth (Rochester), Carnell and Cole (Seven-

oaks), Latter (Bromley), Daniel and Snowden (Ramsgate), Farrer (Cranbrook), Hallett (Ashford), Munn and Stratton (Testerton) Norwood (Charing), Beacham (Hawkhurst), Bathurst and Tassell (Faversham), and Clahon (London).

Mr. G. P. Thompson, of Dover, was unanimously elected president of the society for the ensuing year.

Lord St. Leonards' Bill further to amend the law of property was brought under the notice of the meeting, and a resolution supporting it agreed to, which, together with a petition to both Houses of Parliament, in favour of the Bill, was ordered to be signed by the chairman on behalf of the meeting, and forwarded to Lord St. Leonards.

## Law Students' Journal.

## CALLS TO THE BAR.

The undermentioned gentlemen were on Saturday called to the degree of barrister-at-law:—

**INNER TEMPLE.**—Lewis William Cave, Esq., B.A. (Certificate of Honour); Thomas Edward West, Esq., B.A. (Certificate of Honour); Warne Bayley Marshall Lysley, Esq., M.A., Alfred William Baillie, Esq., M.A., Edwin Agar Lascelles, Esq., B.A., John Francis Collier, Esq., Henry Stewart Cunningham, Esq., B.A., John O'Brien, Esq., M.A., George Hodgson Wayte, Esq., Drury Wake, Esq., B.A., William Storey, Esq., and David Forsyth Main, Esq.

**MIDDLE TEMPLE.**—John Standish Haley, Esq., Francis James, Esq., William Graham Furnivall, Esq., Philip Prendergast, Esq., B.A., James Daniel Robertson, Esq., James Charles Smith, Esq., Robert Greenoak, Esq., Frederick Clifford, Esq., De Castro Fisher Lyne, Esq., Edward Thomas Edmonds Besley, Esq., Joseph Francis Chance, Esq., Gainsford Bruce, Esq., and William Charles Mark Kent, Esq.

**GRAY'S INN.**—Robert Cecil Austin, Esq., and Thomas Braddell, Esq.

## REPORT OF THE INNS OF COURT COMMITTEE

## APPOINTED TO RE-CONSIDER THE WHOLE SUBJECT OF LEGAL EDUCATION.

*To the Benchers of the several Societies of Lincoln's Inn, the Inner Temple, the Middle Temple, and Gray's Inn.*

MY LORDS AND GENTLEMEN,—I am directed by the Committee of the four Inns of Court, appointed to re-consider the whole subject of legal education, to report to you that the Committee, having entered upon their duties and held numerous meetings, have passed the following resolutions:—

1. That it is expedient there should be an examination of students previous to admission at the Inns of Court.
2. That it is expedient there should be a compulsory examination of students previous to being called to the bar.
3. That the attendance of students at lectures be no longer compulsory.
4. That it is expedient that no person be appointed to examine candidates for admission to the bar who has been engaged in giving lectures or private instruction to any of such candidates within two years before such examination.

A sub-committee was appointed by the committee to report "on the proper mode of carrying into effect the resolution as to a preliminary examination of candidates for admission to the Inns of Court, and also whether any and what exceptions should be made in such examination, and further to report on the proper mode of carrying into effect the resolution that there shall be a compulsory examination previous to being called to the bar." The sub-committee was constituted of the chairman and eight members of the committee, and made their report to the committee on the subjects referred to them on the 9th day of May. This report was taken into consideration by the committee, and, having been in some respects amended, was finally approved of and confirmed. The resolutions contained in such amended report are to the effect following:—

*On the subject of the preliminary examination of students, previous to admission at an Inn of Court:—*

1. That every person who shall have passed a public examination at any of the universities within the British dominions, be exempt from preliminary examination.
2. That the subjects of examination be as follows:—
  - (a) The English and Latin languages.
  - (b) English history.



3. That the examination be conducted by a joint board, to be appointed by the Four Inns of Court.

4. That, for constituting such board, each Inn do appoint six Examiners.

5. That the Examiners do attend according to a rota to be fixed by themselves, and that two be a quorum.

6. That meetings of the Examiners of Students applying for admission at either of the Four Inns of Court be held at least once every week between the 20th of October and the 10th of August in each year.

7. That every student shall pay the sum of one guinea upon application for the form of admission.

*On the subject of Examination of Students previously to their being called to the Bar:—*

8. That the examination shall include, at the option of the candidate, examination for honours as well as for certificates of sufficiency for call to the bar.

9. That the examination shall be the act of the Four Inns jointly, and conducted by Examiners appointed for that purpose by the four societies.

10. That the Examiners be selected from the barristers, and that no benchers shall be an examiner.

11. That the examinations for pass certificates shall be held four times a year, but examinations for honours twice only in each year.

12. That the subjects for the examination of students desirous of being called to the bar shall be divided into two branches, consisting of the following subjects:—

**First branch.**

1. Constitutional law and legal history.

2. Jurisprudence, especially private and public international law.

3. Roman civil law.

**Second branch.**

1. Common law.

2. Equity.

3. The law of real property.

13. That no person shall be called to the bar unless he shall have received a certificate from the board of having passed a satisfactory examination in at least one subject in each of the above branches.

14. That the candidates for honours shall pass a satisfactory examination in all the subjects of the above branches.

*Generally.*

15. That there be a superintending board, consisting of two benchers from each Inn of Court, for regulating the examinations, and giving such directions respecting the same as may from time to time be required, and that any three of such benchers be a quorum.

16. That the superintending board have power to give such directions as may from time to time be necessary, as to the conduct of the examinations.—I have the honour to be, your faithful and obedient servant,

RICHARD BETHELL,  
Chairman of the Committee.

John Wesley Hales, B.A., Scholar of Christ's College, Cambridge, fourth in the first class of the classical tripos of 1859, has been elected Tancred Law Student.

**EXAMINATIONS AT THE INCORPORATED LAW SOCIETY.**

**TRINITY TERM, 1859.**

At the examination of candidates for admission on the roll of attorneys and solicitors of the superior courts, the Examiners recommended the following gentlemen, under the age of 26, as being entitled to honorary distinction:—

MILLS, CHARLES, aged 21, who served his clerkship to Mr. Thomas William Clough, of Huddersfield, and Messrs. Edwards, Layton, & Jaques, of Ely-place, London.

COE, AUGUSTUS FREDERICK, aged 22, who served his clerkship to Mr. John Turner, of Carey-street, London.

LISLE, WILLIAM, the younger, aged 21, who served his clerkship to Mr. Richard Thompson, of Durham.

MUMFORD, GEORGE EDWARD, aged 22, who served his

clerkship to Messrs. Ransom & Son, of Sudbury, and Mr. Thomas Henry Dixon, of New Boswell-court, London.

The Council of the Incorporated Law Society have accordingly awarded the following prizes of books:—

To Mr. Mills, the prize of the Honourable Society of Clifford's-inn.

To Mr. Coe, one of the prizes of the Incorporated Law Society.

To Mr. Lisle, one of the prizes of the Incorporated Law Society.

To Mr. Mumford, one of the prizes of the Incorporated Law Society.

The Examiners have also certified that the following candidates passed examinations which entitle them to commendation:—

JOHN CHESTER, aged 21, who served his clerkship to Mr. William Sanger and Mr. Alfred Godwin, of Essex-court, Temple.

HARRY CHARLES GUY, aged 25, who served his clerkship to Messrs. Guy, Reed, & Harris, of Cannon-row, Westminster; and Mr. Anthony Guy, of Hythe, Hants.

ARTHUR LUCAS, aged 22, who served his clerkship to Mr. Roger Moser, of Kendal; and Mr. Robert Marshall, of Verulam-buildings, London.

WILLIAM PRIMROSE MILLS, aged 23, who served his clerkship to Mr. Edward Freestone, of Norwich; and Messrs. Parker, Rooke, & Parker, of Bedford-row, London.

The Council have accordingly awarded them certificates of merit.

The Examiners have further announced to the following candidates that their answers to the questions at the examination were highly satisfactory, and would have entitled them either to a prize or a certificate of merit, if they had been under the age of 26:—

EDWARD MAURICE JONES, aged 29, who served his clerkship to Messrs. Harrison, of Welchpool.

HENRY TREASURE, aged 40, who served his clerkship to Messrs. Lawford; and Messrs. Lawford & Waterhouse, of Drapers'-hall, London.

The number of candidates examined in this term was ninety-three; of these, eighty-six were passed, and seven postponed.

By order of the Council,

ROBERT MAUGHAM, Secretary.

Law Society's Hall: June 9, 1859.

**CANDIDATES WHO PASSED THE EXAMINATION FOR ADMISSION AS ATTORNEYS.**

**TRINITY TERM, 1859.**

<i>Names of Candidates.</i>	<i>To whom Articled, Assigned, &amp;c.</i>
Allison, George Thomas	George Allison.
Argyle, Thomas	Francis Willington.
Backhouse, Henry	R. Backhouse; T. J. Backhouse.
Barret, Edward Alfred	George Basil Eyston.
Barlett, William	John Atkinson.
Bell, Ralph	Edward Turnbull.
Berridge, Isaac	George Parsons Hester.
Bull, Frederick	John James Nickoll.
Capel, Arthur Henry	Henry Andrews Palmer.
Carr, John Walter	J. Owen; W. H. Grimmer.
Chester, John	William Sanger Alfred Godwin.
Clark, John	Thomas F. A. Burnaby.
Clarke, William Hurle	Charles Stewart Clarke.
Clayton, Nathaniel George, B.A.	William Strickland Cookson.
Clement, James White, jun.	James White Clement.
Coe, Augustus Frederick	John Turner.
Cole, Charles	John Cosens Parnell.
Corfield, Henry Christian	C. M. Stretton; E. R. Butler.
Cullingford, Frederick James	John Parker Bolding.
Davis, David Walter	John Morgan.
Denno, Herbert Henry	Montague Kingsford.
Drew, William Henry	Herbert Adolphus Reed.
Duncan, Andrew, jun.	Andrew Duncan; William Unwin.
Elkington, Francis	William Morgan.
Ellis, Thomas	D. B. Smith; Joseph H. Torr.
Elworthy, Albert Henry	John Wreford; H. J. R. Elworthy.
Eyre, Charles James	R. Phippen; C. H. Collette.
Furley, John	Robert Furley; Thomas Hart.
Gill, William Henry	Henry Brown.
Godwin, John	George Brown.
Guy, Harry Charles	John Guy; Anthony Guy.
Harris, Charles Rice	John G. Herbert Owen.
Hawksford, James Edward	John Hawksford; William Parkes.
Heard, George Gustavus Gilbert	James Josiah Millard.
Heather, James, jun.	James Heather.
Hellard, Alexander	Charles Bettesworth Hellard.
Hill, George Frederick, jun.	John May Robbins.
Hoyle, Savile Richard	John Theodore Hoyle.

Names of Candidates.	To whom Articled, Assigned, &c.
Hughes, William Price.....	W. S. P. Hughes; T. N. Farquhar.
Hunt, William Henry.....	William Oakes Hunt.
Hunter, Charles Albert.....	Francis Dollman.
Johnson, Francis Williams.....	William Johnson.
Jones, Edward Maurice.....	Robert Devereux Harrison.
Jones, Griffith Thomas Pictou.....	Hugh Roberts.
Jubb, Francis.....	John Herbert Mitchell.
Knight, Edward.....	Michael Potter.
Lang, George Lowman.....	Robert Lowman; Robert Hillman.
Leather, Alexander William Dow.....	John William Atkinson.
Lisle, William, Jun.....	Richard Thompson.
Lucas, Arthur.....	Roger Moser; Robert Marshall.
Lumb, John Henry.....	Robert John Lumb.
Luxton, Robert.....	S. Edward Samuel Carpenter.
Lydall, John Hawthorne.....	S. P. B. Hook.
Mander, George.....	Joseph Wainwright.
May, James Pearson.....	James May.
Menpes, James Witherden.....	William Tanner Neve.
Mills, Charles.....	Thomas William Clough.
Mills, William Hardman.....	Francis Burton Mills.
Mills, William Primrose.....	E. Freestone; H. Parker, Jun.
Moore, Frederick.....	Charles William Moore.
Mumford, George Edward.....	R. Ransom, sen.; R. Ransom, Jun.
Pasman, Henry Consett.....	Charles Bradford Pasman.
Pemberton, John.....	Thomas Woodburn.
Pike, William Keightley.....	Clement Stretton.
Pope, Edward.....	Robert Gamlen.
Powell, Charles William.....	William Powell.
Robertson, Samuel Boxill.....	John William Hawkins.
Robinson, William Snowdon.....	Thomas Thompson.
Smith, Frederick.....	Richard Stevens.
Smith, Henry.....	George Adam Bird.
Speed, Edwin John.....	M. Thomas Hoddling.
Steele, Thomas.....	Richard Mullings.
Strover, John Bishop.....	Edward Twinnbull.
Swan, Robert, Jun., B.A.....	Robert Swan; William Allison.
Sykes, John Haigh.....	Thomas Haigh.
Tippetts, Theodore George.....	James Berriman Tippetts.
Treasure, Henry.....	J. Lawford; J. W. Waterhouse.
Trotter, John.....	William Trotter.
Watson, John.....	James Pearce; George Ade.
Webb, Thomas.....	William Morgan Benett.
Whitford, Richard.....	R. Whitford; E. L. Rowcliffe.
Winder, Robert.....	James Winder.
Wingate, George Leadbeter.....	George Theodore Wingate.
Wood, Philip.....	William Stone.
Wooler, William George.....	William Crawford Newby.
Young, Austin Little.....	George Young.

**THE CIVIL SERVICE COMMISSION.**—An octavo volume of some 300 pages, the colour of which may be best described by comparing it to that of Mr. Drummond's supposed "rifle" uniform, contains the fourth report of her Majesty's Civil Service Commissioners, with copious appendices, statistical tables, specimens of caligraphy and cactography, examination papers in Hindoo, Arabic, and Sanscrit, and many other highly curious and indescribable things. The principles of the commissioners having been fully explained, and the details of their proceedings described in former reports, the present (with one exception) comprises little more than a statistical account of the ordinary examinations conducted under their superintendence. The regulations made under the Order in Council of 1855 by the various departments of the civil service, prescribing the subjects for examination, underwent but little change in 1858. It is inferred that the system has worked satisfactorily, and with that inference before them the commissioners have been unwilling to disturb the existing arrangements by any experimental alterations. The principal exception to this general acquiescence has occurred in respect to the regulations in force at the Foreign Office for the examination of attachés. The total number of nominations made in 1858 to situations to which the Order in Council has been applied was 2,258 against 2,189 in 1857, and 2,432 in 1856. The total number of nominations made from the commencement of the commission to the 31st of March, 1859, is 8,939; the number of persons actually examined in the same period was 7,371; certificates were granted in 4,514 cases and refused in 1,717. Of the nominations last year 1,425 were single nominations, without any reference to competition, and 833 nominations of candidates as competitors for one or more situations. Certificates on single nominations were granted during the year in 958 cases, and in 292 cases certificates were refused on the ground of deficiency of knowledge in the prescribed subjects. 286 were refused, in fact, for deficiency in spelling or arithmetic, or in both, and only six for incompetency in other subjects not involving spelling or arithmetic. The unfavourable state of the proportion of competent and incompetent candidates induces the practical conclusion "that the number of candidates should be increased so as to bear a larger proportion to the vacancies, and that three to one, the present proportion, is insufficient." The commissioners defend their system of examination against the formidable objection that it induces what is commonly called "cramping;" that is to say, the practice of speculating on the questions

likely to be proposed, getting up only limited portions of subjects, and learning by rote. The commissioners demur to this objection, and deny that "cramping" of this kind is available under their system. Another objection, that the standard of examination is too high for the duties required, is also answered. The only important alteration made in the conduct of the examination of candidates for service in India, as compared with those that had taken place under the Indian Board, was the extension of the viva voce examination. The commissioners, who enter at length into the subject of these examinations for Indian offices (the Act of last session having materially affected their functions quoad hoc), say that they look forward with great interest to the next examination in July. The large number of vacancies (forty) which will be then filled up, and the increased chances of success thus held out will, doubtless, attract a considerably larger number of candidates than sixty-seven, the number that appeared at the last examination. The advantages appertaining to an Indian "writership" are strongly urged by the commissioners in contrast to the hopeless uncertainty of the "bar," and the beggarly pittances assigned to ministers of the church at home.

**REPORT ON PRISONS.**—Mr. Perry, the inspector of the southern district of prisons, has sent in the usual report to the Home Secretary. This was published last week. The condition of the prisons was, with a few exceptions, generally satisfactory, and in the past year the system of separate confinement has been introduced into the jail of Newgate. Regret is expressed that the plan for the improvement of Coldbath-fields Prison has not been carried out; its present state is not only anomalous, but, to a certain extent, discreditable to the county of Middlesex. Mr. Perry very properly calls the visiting justices of the Brecon (Wales) County Jail to account for putting certain prisoners in irons for two months, there being no legal warrant for so doing, except for the purpose of controlling violence or preventing escape. At Bodmin one step has been made towards the scheme of executing persons privately:—The "drop" has been removed from the front of the prison, where it was visible to an almost unlimited number of spectators, to the back of the building, where it is eclipsed by the boundary wall, except on the east side, where a view may be obtained of it from a field; and as the proprietor of the field might shut it against trespassers, the execution would, in that case, be altogether deprived of its "public" character. At Springfield Jail, in Essex, there is a great want of some kind of work for the prisoners to be performed in their cells, where in winter they must often be left for sixteen hours to darkness. Mr. Perry also justly condemns the cruel Puritanical regulation at this prison which debar the prisoners from all exercise whatever on Sundays; the depressing effect of separate confinement being sufficiently painful without annexing to it the obsolete enactments of the Jewish ceremonial law. We believe the justices of Springfield have been before called to account for this barbarous practice. The accommodation for debtors in the chapel of this jail is very insufficient. At Cardiff Jail the prisoners appear to have been much under-fed, but the dietary was to be improved. Mr. Perry boldly speaks out when he finds a prisoner in bad hands, and appears to have been most conscientious in examining the details of the various systems adopted in the prisons under his inspection.

**MARRIAGES, BIRTHS, AND DEATHS.**—In 1858, the population of England being 17,927,609 souls, there were 156,297 marriages (312,594 persons married), 655,627 births (335,027 males and 320,600 females), and 450,018 deaths (227,539 of males and 222,479 of females.) Curiously enough, more marriages were registered in the last quarter of the year (known to school-boys as the "miserable" quarter) than all the rest, and the same fact is noticeable in the records of 1857. The spring again appears to be preferred by lovers for the consummation of their felicity to the summer quarter, taking the first to include April, May, and June, and the second the months of July, August, and September. The fewest marriages occur in the winter quarter (January, February, and March) poetically and practically styled in the French revolutionary calendar, the months "Nivose," "Pluviose," and "Ventose," or, as Sheridan happily translated them, "Snowy, flowy, blowy." The winter quarter of 1858 was, on the other hand, the most abundant in deaths, while, strangely enough, it was also most prolific as regards births.

**THE COURT OF CHANCERY.**—The total payments on account of the Suits' Fund of the High Court of Chancery in the year ended the 1st of October, 1858, amounted to £61,586, and the surplus interest carried over to the Suits' Fee Fund account, to £55,789. Balance £80,010 on the latter account.

## Court Papers.

## Court of Chancery.—SITTINGS, AFTER TRINITY TERM, 1859.

## LORD CHANCELLOR.

## At Lincoln's Inn.

Friday, June 24	<i>The First Seal.</i> —Appeal
Saturday 25	Motions and Appeals.
Monday 27	Petitions and Appeals.
Tuesday 28	Appeals.
Wednesday 29	<i>The Second Seal.</i> —Appeal
Thursday 30	Motions and Appeals.
Friday, July 1	
Saturday 2	Appeals.
Monday 4	
Tuesday 5	<i>The Third Seal.</i> —Appeal
Wednesday 6	Motions and Appeals.
Thursday 7	
Friday 8	Appeals.
Saturday 9	
Monday 11	
Tuesday 12	<i>The Fourth Seal.</i> —Petitions
Wednesday 13	and Appeals.
Thursday 14	
Friday 15	Appeals.
Saturday 16	
Monday 18	
Tuesday 19	<i>The Fifth Seal.</i> —Appeal
Wednesday 20	Motions and Appeals.
Thursday 21	
Friday 22	Appeals.
Saturday 23	Petitions and Appeals.
Monday 24	
Tuesday 26	Appeals.
Wednesday 27	<i>The Sixth Seal.</i> —Appeal
	Motions and Appeals.

NOTICE.—Such days as his Lordship is hearing Appeals in the House of Lords are excepted.

## MASTER OF THE ROLLS.

## At Chancery Lane.

Friday, June 24	<i>The First Seal.</i> —Motions.
Saturday 25	General Paper.
Monday 27	
Tuesday 28	<i>The Second Seal.</i> —Motions.
Wednesday 29	General Paper.
Thursday 30	General Petition Day.
Friday, July 1	
Saturday 2	General Paper.
Monday 4	
Tuesday 5	<i>The Third Seal.</i> —Motions.
Wednesday 6	
Thursday 7	General Paper.
Friday 8	
Saturday 9	General Paper.
Monday 11	
Tuesday 12	<i>The Fourth Seal.</i> —Motions.
Wednesday 13	
Thursday 14	General Paper.
Friday 15	
Saturday 16	General Paper.
Monday 18	
Tuesday 19	<i>The Fifth Seal.</i> —Motions.
Wednesday 20	
Thursday 21	General Paper.
Friday 22	
Saturday 23	General Paper.
Monday 24	
Tuesday 26	<i>The Sixth Seal.</i> —Motions.
Wednesday 27	
Thursday 28	General Petition Day.

NOTICE.—At the Sittings after Trinity Term the MASTER OF THE ROLLS will hear Further Directions and Further Considerations, in priority to Original Causes, and will also hear Short Causes, Short Claims, Consent Causes, Unopposed Petitions, Claims, and Adjourned Summonses, every Saturday at the sitting of the Court.

Unopposed Petitions must be presented, and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard.

## THE LORDS JUSTICES.

## At Lincoln's Inn.

Friday, June 24	<i>The First Seal.</i> —Appeal
Saturday 25	Motions and Appeals.
Monday 27	Petitions in Lunacy and Bankruptcy, Appeal Petitions, and Appeals.

## THE LORDS JUSTICES—continued.

Monday 27	Appeals.
Tuesday 28	
Wednesday 29	<i>The Second Seal.</i> —Appeal
Thursday 30	Motions and Appeals.
Friday, July 1	Petitions in Lunacy and Bankruptcy, Appeal Petitions, and Appeals.
Saturday 2	
Monday 4	Appeals.
Tuesday 5	
Wednesday 6	<i>The Third Seal.</i> —Appeal
Thursday 7	Motions and Appeals.
Friday 8	Petitions in Lunacy and Bankruptcy, Appeal Petitions, and Appeals.
Saturday 9	
Monday 11	Appeals.
Tuesday 12	
Wednesday 13	<i>The Fourth Seal.</i> —Appeal
Thursday 14	Motions and Appeals.
Friday 15	Petitions in Lunacy and Bankruptcy, Appeal Petitions, and Appeals.
Saturday 16	
Monday 18	Appeals.
Tuesday 19	
Wednesday 20	<i>The Fifth Seal.</i> —Appeal
Thursday 21	Motions and Appeals.
Friday 22	Petitions in Lunacy and Bankruptcy, Appeal Petitions, and Appeals.
Saturday 23	
Monday 24	Appeals.
Tuesday 26	
Wednesday 27	<i>The Sixth Seal.</i> —Appeal
	Motions and Appeals.

NOTICE.—The days (if any) on which the LORDS JUSTICES shall be engaged in the full Court, or at the Judicial Committee of the Privy Council, are excepted.

## V. C. SIR R. T. KINDERSLEY.

## At Lincoln's Inn.

Friday, June 24	<i>The First Seal.</i> —Motions and General Paper.
Saturday 25	Petitions, Short Causes, Short Claims, Adjourned Summonses, and General Paper.
Monday 27	General Paper.
Tuesday 28	
Wednesday 29	<i>The Second Seal.</i> —Motions and General Paper.
Thursday 30	General Paper.
Friday, July 1	Petitions.
Saturday 2	Short Causes, Short Claims, Adjourned Summonses, and General Paper.
Monday 4	General Paper.
Tuesday 5	
Wednesday 6	<i>The Third Seal.</i> —Motions and General Paper.
Thursday 7	General Paper.
Friday 8	Petitions.
Saturday 9	Short Causes, Short Claims, Adjourned Summonses, and General Paper.
Monday 11	General Paper.
Tuesday 12	
Wednesday 13	<i>The Fourth Seal.</i> —Motions and General Paper.
Thursday 14	General Paper.
Friday 15	Petitions.
Saturday 16	Short Causes, Short Claims, Adjourned Summonses, and General Paper.
Monday 18	General Paper.
Tuesday 19	
Wednesday 20	<i>The Fifth Seal.</i> —Motions and General Paper.
Thursday 21	General Paper.
Friday 22	Petitions.
Saturday 23	Short Causes, Short Claims, Adjourned Summonses, and Remaining Petitions.
Monday 24	General Paper.
Tuesday 26	
Wednesday 27	<i>The Sixth Seal.</i> —Motions.

NOTICE.—At the Sittings after Trinity Term the VICE-CHANCELLOR will hear Further Directions and Further Considerations in priority to Original Causes.

## V. C. SIR JOHN STUART.

## At Lincoln's Inn.

Friday, June 24	<i>The First Seal.</i> —Motions and General Paper.
Saturday 25	Petitions, Short Causes, Short Claims, and General Paper.
Monday 27	General Paper.
Tuesday 28	
Wednesday 29	<i>The Second Seal.</i> —Motions and General Paper.
Thursday 30	General Paper.
Friday, July 1	Petitions and General Paper.
Saturday 2	Short Causes, Short Claims, and General Paper.
Monday 4	General Paper.
Tuesday 5	
Wednesday 6	<i>The Third Seal.</i> —Motions and General Paper.
Thursday 7	General Paper.
Friday 8	Petitions and General Paper.
Saturday 9	Short Causes, Short Claims, and General Paper.
Monday 11	General Paper.
Tuesday 12	
Wednesday 13	<i>The Fourth Seal.</i> —Motions and General Paper.
Thursday 14	General Paper.
Friday 15	Petitions and General Paper.
Saturday 16	Short Causes, Short Claims, and General Paper.
Monday 18	General Paper.
Tuesday 19	
Wednesday 20	<i>The Fifth Seal.</i>
Thursday 21	General Petition Day.
Friday 22	Short Causes, Short Claims, and remaining Petitions.
Saturday 23	
Monday 24	Remaining Petitions and General Paper.
Tuesday 26	
Wednesday 27	<i>The Sixth Seal.</i> —Motions.

NOTICE.—At the Sittings after Trinity Term the VICE-CHANCELLOR will hear Further Directions and Further Considerations in priority to Original Causes.

## V. C. SIR W. PAGE WOOD.

## At Lincoln's Inn.

Friday, June 24	<i>The First Seal.</i> —Motions and General Paper.
Saturday 25	Petitions, Short Causes, Claims, and General Paper.
Monday 27	General Paper.
Tuesday 28	
Wednesday 29	<i>The Second Seal.</i> —Motions and General Paper.
Thursday 30	General Paper.
Friday, July 1	Petitions, Short Causes, Claims, and General Paper.
Saturday 2	General Paper.
Monday 4	
Tuesday 5	<i>The Third Seal.</i> —Motions and General Paper.
Wednesday 6	General Paper.
Thursday 7	General Paper.
Friday 8	Petitions, Short Causes, Claims, and General Paper.
Saturday 9	General Paper.
Monday 11	
Tuesday 12	<i>The Fourth Seal.</i> —Motions and General Paper.
Wednesday 13	General Paper.
Thursday 14	
Friday 15	Petitions, Short Causes, Claims, and General Paper.
Saturday 16	General Paper.
Monday 18	
Tuesday 19	<i>The Fifth Seal.</i> —Motions and General Paper.
Wednesday 20	General Paper.
Thursday 21	General Petition Day, Short Causes and Claims.
Saturday 23	Remaining Petitions and General Paper.
Monday 24	
Tuesday 26	<i>The Sixth Seal.</i> —Motions.
Wednesday 27	

NOTICE.—At these Sittings, the VICE-CHANCELLOR will hear such Further Directions and Further Considerations as are in the printed list, in priority to original Causes, and after the Sixth Seal Motions and Remaining Petitions only will be heard.



## House of Lords.

SESSION COMMENCING MAY 31, 1859.

## CAUSES STANDING FOR HEARING.

Set down in Session, 1857.

- Chancery, Ireland. Rutledge et al. v. Rutledge and Another.  
 Set down in Session commencing 30th April, 1857.  
 Scotland. Kyle et al. v. Jeffreys and Another (Bill of Exceptions).  
 " Scots Mines Company and Another v. Leadhills Mining Company et al. (Second Appeal).  
 " Same v. Same (Third Appeal).  
 Chancery, England. Lord Kensington v. Bouverie et al., ex parte as to certain Respondents.

Set down in Session 1857-8.

- Scotland. Russell and Son v. Gillespie and Husband.  
 " Gillespie and Husband v. Russell and Son, et c. contra.  
 " Stewart (or Paterson and Another (Paupers) v. Cates (or Rae Wilson) et al.  
 Chancery, Ireland. Greville v. Browne.  
 " The Marquess of Donegal v. Layard, ex parte.  
 Scotland. Hopwood and Another v. Hopwood et al.  
 Chancery, Scotland. Addie and Miller v. Lennan, ex parte.  
 Chancery, England. Hopwood and Another v. Hopwood et al.  
 " Sir William A. Claverling, Bart., v. Ellison, et al.  
 " Imperial Gas Light and Coke Company v. Broadbent.  
 Scotland. Johnston v. Johnston.  
 " Commercial Bank of Scotland v. Rhind.  
 Chancery, England. Sir Isaac L. Goldsmid, Bart., and Another v. Cazenove et al. (Appeal on a Special Case, pursuant to Act.)  
 " Glasgow, Barhead, and Neilson Direct Railway Company v. Caledonian Railway Company et al., ex parte as to certain Respondents.  
 Exchequer Chamber, Ireland. Rorke v. Errington (in Error).  
 Exchequer Chamber, England. Eastern Counties Railway Company and London and Blackwall Railway Company v. Marriage (Appeal upon a Case stated by the Parties, pursuant to Act).  
 Exchequer Chamber, Ireland. Beamish v. Beamish (in Error).  
 Exchequer Chamber, England. Butler v. Viscount Mountgarret (in Error).  
 " Young v. Billiter (in Error).  
 " Ewart v. Sir J. R. G. Graham, Bart. (in Error). To be heard on first Cause Day on which the Defendants are summoned.  
 " Wheatcroft v. Blackwell and Another (in Error).  
 " Rowbotham et al. v. Wilson (in Error).  
 Chancery, England. Wing v. Angrave et al., ex parte as to Richard Angrave.  
 Scotland. Livingstone (or Fenton) v. Livingstone (First Appeal). To be heard on an early day this Session.  
 " Same v. Same (Second Appeal). To be heard on an early day this Session.  
 " Kerr v. Wilkie and Another, ex parte.  
 Chancery, England. Ashton and Another v. Horsfield and Another.  
 Scotland. Ewing v. Crawford (or Ewing), et al.  
 " Wryghtie (Official Manager of the Royal Bank of Australia) v. Lindsay et al., ex parte as to certain Respondents.  
 " Orr et al. v. Glasgow, Airdrie, and Monklands Junction Railway Company et al.

Set down in Session, 1859.

- Scotland. Davidson et al. v. Tulloch and Another (First Appeal).  
 " Same v. Same (Second Appeal).  
 " Marder (or Smith) v. Marder (or Douglas) et al.  
 " Forbes v. Campbell et al. The matter of Respondent's Petition as to competency reserved to the Hearing.  
 Chancery, Ireland. Lambert and Another v. Peyton et al. The matter of Respondent's Petition reserved for argument at the Bar.  
 Chancery, England. Drake v. Drake et al., ex parte as to certain Respondents.  
 " Her Majesty's Attorney-General v. The Dean and Canons of Windsor et al., ex parte as to certain Respondents.  
 " Horsfield v. Sidebotham et al.  
 " B. Horsfield v. Sidebotham et al.  
 " Randfield v. Randfield et al., ex parte as to Ann Randfield.  
 Exchequer Chamber, England. Wheatcroft v. Hickman (Appeal upon a Case stated by the parties pursuant to Act).  
 Chancery, England. Jowett v. Bentley et al. (First Appeal), ex parte as to certain Respondents.  
 " Same v. Same (Second Appeal), ex parte as to Samuel Atkinson.  
 Exchequer Chamber, England. Phoenix Life Assurance Company v. Sheridan (in Error).  
 Chancery, England. Gray et al. v. Golding et al., ex parte.  
 Exchequer Chamber, England. Edwards - Wood v. Majoribanks et al.  
 Scotland. The Attorney-General v. Brunning.  
 " John Kirkland and Son v. Nisbet and Company and Another (Bill of Exceptions).  
 " Maxwell (Pauper) v. St. Clare.  
 " Caledonian Railway Company v. Sir N. M. Lockhart, Bart., et al.

## CAUSES FULLY HEARD.

- Scotland. Edinburgh and Glasgow Railway Company v. Provost, &c., of Linlithgow. To be fully re-heard.  
 Chancery, England. Thellusson v. Roberts et al., ex parte as to Arthur Thellusson (Judges' Opinions delivered seriatim, 16th April, 1859).  
 " Hon. A. Thellusson v. Roberts et al., ex parte as to T. R. Thellusson (Judges' Opinions delivered seriatim 16th April, 1859).  
 " Hon. Richard Hare et al. v. Roberts et al., ex parte as to certain Respondents (Judges' Opinions delivered seriatim 16th April, 1859).  
 Exchequer Chamber, England. Bristol and Exeter Railway Company v. Collins (Appeal upon a Case stated by the Parties pursuant to Act—Question to Judges, 15th February, 1859).  
 " Chasemore v. Richards (in Error—Question to Judges, 16th February, 1859).  
 " Doe (on Demise of Evers and Others) v. Challis (Writ of Error—Questions to Judges, 18th February, 1859).  
 Exchequer Chamber, Ireland. Lord Waterpark v. Fennell (in Error—Question to Judges, 2nd February, 1859).  
 Court of Probate, England. Dolphin v. Robins and Another. To be argued by one Counsel a side).

## CLAIMS OF PEERAGE, AND CLAIMS TO VOTE FOR REPRESENTATIVE PEER FOR IRELAND, DEPENDING.

- De Scales Peerage. Viscount Taaffe's claim to vote.  
 Nithsdale Peerage. Lord Aylmer's claim to vote.  
 Lord Inchiquin's claim to vote. Montacute Peerage.  
 Taaffe Peerage. Monthermer Peerage.  
 Berkeley Peerage. De Ferrers Peerage.  
 Dunboyne Peerage. De Ferrers of Chartley Peerage.

## Judicial Committee of the Privy Council.

## LIST OF BUSINESS.

The Judicial Committee will commence sitting for the despatch of business on Friday, the 17th June, 1859, at half-past ten, a.m.

- | Whence.                          | Appellants.   | Respondents.   |
|----------------------------------|---|--|
| British Guiana.                  | Butts.  | Allen.   |
|                                  |   | Motion to withdraw Appeal.                                 |
| Jersey.                          | Falle.  | Le Sueur and La Huguette.                                  |
|                                  |   | (To be heard, on further evidence, on 22nd June.)          |
| Bengal.                          | Hetnarain Sing.                                       | Modnarain Sing.  |
| Canada.                          | Montreal Assurance Company.                           | M'Gillivray.   |
| Bengal.                          | Juggomohun Ghose.                                     | Manickchand and Another.                                   |
| Isle of Man.                     | Attorney - General of the Isle of Man.                | Cowley and Kinrade.  |
| Madras.                          | East India Company.                                   | Kamachee Boye Sahiba.                                      |
| Canada.                          | Motz.   | Moreau.  |
| Madras.                          | Ranee Purvatha Kirdhany Nauchiar, Zemindar of Ramnad. | Jayavara Ramakoman Etyapa Naicker, Zemindar of Etyapparam. |
| Bengal.                          | Pramath Chowdhry.                                     | Isam Rutton Roy and Others.                                |
| Bombay.                          | Shumbhoolol Girdhurlol.                               | Collector of Surat and Musserwanjee Pestonjee.             |
| Bengal.                          | Romanauth Mullick.                                    | Rammohun Mullick and Others.                               |
|                                  | Wise.   | Jugbundo Bose and Wise.                                    |
| New South Wales.                 | Jones and others (Ex A.A.).                           | Mackenzie.   |
| High Court of Admiralty.         | Cross and Others.                                     | London and Limerick Steam Ship Company.                    |
|                                  |   | (The "European.")  |
|                                  | Robinson and Others.                                  | Bancroft and Others.                                       |
|                                  |   | (The "Robinsons.")   |
| Admiralty Court, Bahamas.        | Murphy and Others.                                    | Petty and Others.  |
| Vice Admiralty Court, Hong Kong. | Lapralle and Chape.                                   | Burrows.   |
|                                  |   | (The "Australia.")   |
|                                  | Burrows.  | Lapralle and Chape.  |
|                                  |   | (The "Australia.")   |
| High Court of Admiralty.         | Earle and Briggs.                                     | Gruener and Becker.  |
|                                  |   | (The "Swallow.")   |
|                                  | Earle and Briggs.                                     | Morgan and Others.   |
|                                  |   | (Cargo ex the "Swallow.")                                  |

## JUDGMENT.

- Madras. The East India Company v. Robertson and Others.

## Queen's Bench.

## NEW CASES.—TRINITY TERM, 1859.

## SPECIAL PAPER.

- Special Case. Brewin and Another v. Briscoe.

The Court will sit on Saturday the 2nd July next, and will at such sitting give Judgment in outstanding Cases.

## Common Pleas.

## NEW CASES.—TRINITY TERM, 1859.

## NEW TRIAL PAPER.

- Middlesex. Levy v. Hall & Another.  
 " Ripley v. Lordan.  
 " Bushell v. Salisbury.

London.	Godfrey v. O'Neill.
"	Marsh v. Howell.
"	Mumford and Another v. Gelling.
"	Bowes and Another v. Gladwell.
Suspended.	Reynolds v. Miles.

This Court will, on Tuesday, the 21st, Friday, the 24th, Saturday, the 25th, Monday, the 27th, and Tuesday, the 28th days of June, hold Sittings in Banco, and will proceed in disposing of the cases in the New Trial and Demurrer Papers of this Court, and will also hold a Sitting in Banco on Saturday, the 29th day of July next, and will proceed to give judgment in the cases that will then be standing over for the consideration of the Court.

### Exchequer of Pleas.

#### NEW CASES.—TRINITY TERM, 1859.

Error.	Hicks and Another v. Rodocanachi.
"	Metcalf and Others v. Hetherington, Clerk, &c.
NEW TRIAL PAPER.	

London.	Corman v. The Eastern Counties Railway Company.
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This Court will hold Sittings on Wednesday, the 22nd, Thursday, the 23rd, Friday, the 24th, and Saturday, the 25th days of June instant, and will, at such Sittings, proceed in disposing of the business then pending in the Paper of New Trials, and in the Special Paper; and will also hold a Sitting on Monday, the 11th day of July next, and on the said Monday, the 11th July proceed in giving judgment in all matters then standing for judgment.

### Court for Divorce and Matrimonial Causes.

The Full Court will sit on the following days.

Thursday	June 30	Tuesday	July 5
Friday	July 1	Thursday	" 7
Saturday	" 2	Friday	" 8
Monday	" 4	Saturday	" 9

### Summer Circuits of the Judges, 1859.

Yesterday being the last day of Trinity Term, the Judges appointed to proceed and hold the ensuing Assizes of Oyer and Terminer finally appointed the days and signed the precepts for holding such assize in and for the several counties and cities comprised within their respective circuits throughout England and Wales. The following are the days and places appointed on each circuit, viz.:

#### Norfolk.

##### POZZLOCK, L.C.B., and WIGHTMAN, J.

Aylesbury	Thursday	July 14.
Bedford	Monday	July 18.
Huntingdon.	Wednesday	July 20.
Cambridge	Friday	July 22.
Norwich	Wednesday	July 27.
Ipswich	Monday	August 1.

#### Northern.

##### WATSON, B., and HILL, J.

York	Monday	July 11.
Durham	Saturday	July 23.
Newcastle	Thursday	July 28.
Carlisle	Monday	Aug. 1.
Appleby	Thursday	Aug. 4.
Lancaster	Saturday	Aug. 6.
Liverpool	Wednesday	Aug. 10.

#### Western.

##### CRAMPTON, J., and BRAMWELL, B.

Winchester	Thursday	July 14.
Salisbury	Wednesday	July 20.
Dorchester	Monday	July 25.
Exeter	Thursday	July 28.
Bosmin	Thursday	Aug. 4.
Wells	Monday	Aug. 8.
Bristol	Saturday	Aug. 13.

#### Midland.

##### EARLE, J., and WILLIAMS, J.

Oakham	Tuesday	July 12.
Northampton	Wednesday	July 13.
Leicester	Saturday	July 16.
Nottingham	Wednesday	July 20.
Lincoln	Saturday	July 23.
Derby	Thursday	July 28.
Warwick	Tuesday	August 2.

#### Home.

##### MARTIN, B., and CROWDER, J.

Herford	Thursday	July 14.
Chelmsford	Monday	July 18.
Midstone	Monday	July 25.
Leves	Monday	August 1.
Croydon	Thursday	August 4.

#### South Wales and Chester.

##### CHANNELL, B.

Who, after proceeding through the Circuit, will meet the Lord Chief Justice of the Common Pleas, he having completed the Circuit throughout North Wales, at Chester.

Haverfordwest	Wednesday	July 6.
Cardigan	Saturday	July 9.
Cardigan	Wednesday	July 13.
Cardiff	Tuesday	July 19.
Brecon	Wednesday	July 27.
Freestown	Monday	August 1.
Chester	Thursday	August 4.

#### North Wales and Chester.

##### COCKBURN, L. C. J.

Newtown	Tuesday	July 19.
Dogelly.	Friday	July 22.
Carmarvon	Monday	July 25.
Beaumaris	Wednesday	July 27.
Ruthin	Friday	July 29.
Mold	Monday	August 1.
Chester	Thursday	August 4.

#### Oxford.

The days on this Circuit were not so finally appointed as to be given with the above.

THE VACATION JUDGE.—Lord Campbell was, according to previous arrangements, to have been the Vacation Judge. His elevation to the office of Lord Chancellor will throw that duty on his successor, but will in no way interfere with the general arrangements of the Circuits.

### Births, Marriages, and Deaths.

#### BIRTHS.

BRISTOWE—On June 11, at No. 53 Rutland-gate, the wife of Henry Fox Bristowe, Esq., of a son.  
 CODD—On June 15, at 79 Cariton-road Villas, the wife of A. G. Codd, Esq., of the Inner Temple, of a son.  
 FOSTER—On June 8, at 6 Caroline-place, Mecklenburgh-square, the wife of Thomas Gregory Foster, Esq., barrister-at-law, of a daughter.  
 JAMES—On June 8, at 16 Norfolk-square, Hyde-park, W., the wife of Francis James, Esq., of a son.  
 MARSHALL—On June 14, at Liverpool, the wife of Mr. Henry Marshall, solicitor, of a son.  
 RICHARDSON—On June 12, the wife of Henry Francis Richardson, Esq., attorney-at-law, F.L.S., of a daughter.  
 WHITE—On June 8, the wife of Robert Azialack White, Esq., solicitor, of Grantham, of a daughter.  
 WILLS—On June 13, the wife of William Wills, Esq., of Uxbridge, of a daughter.

#### MARRIAGES.

BARR—BENNETT—On June 13, at Pontefract, Mr. William Barr, of Cheetham-hill, Manchester, to Louisa Jane, second daughter of J. Bennett, Esq., solicitor, Carlton.  
 COLLINS—BAILEY—On June 11, at Broughton, by the Rev. Stanlake Lee, rector, William Collins, Esq., solicitor, Winchester, to Helen, second daughter of Hinton R. Bailey, Esq., of Fittleworth, Hants.  
 ELLIOT—ARMSTRONG—On June 4, by the Rev. A. B. Suter, John Elliot, jun., Esq., of the Inner Temple, barrister-at-law, to Charlotte Georgina, only daughter of Colonel G. C. Armstrong, of the Indian Army.  
 FORRESTER—BURRIDGE—On June 9, at the church of the Holy Trinity, Shaftesbury, Dorset, by the Rev. Charles English, incumbent of Sydenham, Kent, William Forrester, Esq., of Malmesbury, Wilts, to Caroline Matilda, youngest daughter of William Burrige, Esq., of Shaftesbury.  
 MELLADEW—BENNETT—On June 11, at St. Chrysostom's Church, Everton, by the Rev. J. Macnaught, Roger, son of J. B. Melladew, Esq., to Ada Victoria, only daughter of the late Edward Bennett, Esq., Solicitor, of Manchester.  
 MOORE—SWINBURNE—On June 15, at All Saints', Upper Norwood, by the Rev. C. M. Arnold, M.A., incumbent of St. Mark's, South Norwood, William Moore, Esq., of Sunderland, to Mary, eldest daughter of W. A. Swinburne, Esq., of South Norwood, Surrey.  
 SIMONDS—PILATI—On April 26, at Christ Church, Bayswater, by the Rev. Charles Mackenzie, assisted by the Rev. David Pringle, Henry John Simonds, M.A., Fellow of King's College, and Barrister-at-law, son of Henry Simonds, of Reading, to Julia, only daughter of Signor Pilati, and granddaughter of the late Dr. Pilati, of Brest.  
 TODD—CUSONS—On June 9, at Beverley Minster, by the Rev. J. B. Birtwhistle, assisted by the Rev. J. Day, Stephen Ellis Todd, Esq., Solicitor, to Annie Elizabeth, only daughter of Thomas Cussons, Esq., all of that place.

WARMINGTON—PARTRIDGE—On June 9, at Aldham, Suffolk, by the Rev. J. Lloyd, rector, Edward Marcus Warmington, Solicitor, Dudley, to Amelia, Eliza, third daughter of T. Partridge, Esq., Aldham Hall, Suffolk.

#### DEATHS.

ATKINSON—On June 9, at the Grove, Withington, aged 74, Fenton R. Atkinson, Esq., Solicitor.  
 BADGER—On June 13, at Rotherham, in the 61st year of her age, Mary, wife of Thomas Badger, Esq., Solicitor and Coroner.  
 BRUMMELL—On June 8, Miss Georgiana Brummell, last surviving sister of the late Henry Brummell, Esq., Solicitor, Morpeth.  
 FORD—On June 9, at Frenchay, near Bristol, aged 17, Catherine Ormston, second daughter of R. L. Ford, Esq., Solicitor, of Leeds.  
 GRAHAM—On April 26, aged 32, Ralph Woodford Graham, son of the late Joseph Graham, Esq., Depositario-General and Judicial Administrator in the Island of Trinidad.  
 HARRISON—On June 3, at Castle-hill, Holywell, Joannette, wife of Richard Harrison, Esq., Solicitor.  
 JONES—On June 10, at Carmarthen, aged 36, Susan Martha, the third daughter of the late Philip Griffith Jones, Esq.  
 LEY—On June 14, at Bideford, Arthur Ley, Esq.  
 SWABOY—On June 7, at 1, Park-crescent, Oxford, Catherine, daughter of the late Maurice Swaboy, D.C.L., and widow of the Rev. W. G. Freeman, Fellow of King's College, Cambridge, and rector of Milton.  
 VAUGHAN—On June 12, aged 67, William Vaughan, Esq., Solicitor, of Stockport.

## Unclaimed Stock in the Bank of England.

The Amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimant appear within Three Months:—

**BAGOT, MARY**, Widow, Chapel-street, Belgrave-square, £140 New 3 per Cent.—Claimed by MARY BAGOT, Spinster, the administratrix with the will annexed.

**BOOTH, MARY**, Spinster, Southampton, One Dividend on £4,000 Reduced.—Claimed by WILLIAM WHITMORE, the acting executor.

**BOWERS, SARAH**, Spinster, Wandsworth, Surrey, £69 : 10 : 10 New 3 per Cent.—Claimed by SARAH COLEMAN, Widow, formerly the said Sarah Bowers.

**QUINCEY, LOUIS FRANCOIS MICHEL DE**, Esq., Chester, One Dividend on £1,102 : 10 : 0 New 4 per Cent.—Claimed by KATHARINE WEST, Spinster, administratrix with the will annexed, de bonis non.

## Heirs at Law and Next of Kin.

Advertised for in the London Gazette.

**BOYD, JOHN ADAM**, Queen's-terrace, Bayswater (who died about March 10, 1858), his next of kin to apply, either personally or by letter, to the Solicitor of her Majesty's Treasury, Whitehall.

**CAMPBELL, WILLIAM WILSON**, late of Castle Port Stewart, Agherton, co. Londonderry (who died about January, 1858), his next of kin to apply, on or before July 4, at the Chambers of the Master of the Rolls, Robinson c. White.

**GAOOME, WILLIAM**, Gentleman, late of Arundel (who died in or about the month of January, 1838). Smelt v. Attorney-General, M.R. July 4.

**HUTNEY, THOMAS**, described in the will of Elizabeth Goodrey, dated 1818, as of the island of Jamaica, but then residing in England, or next of kin, to apply to Messrs. Tatham & Proctor, 10 New-square, Lincoln's-inn.

**LUKE, DUGALD**, Stafford-place, Pimlico (who died on or about September 9, 1855). His relations or next of kin to apply, either personally or by letter, to the Solicitor of the Treasury, Whitehall.

**PERCHON, JOHN ELIAS**, formerly of Lisbon, but subsequently of London (who died in June, 1826). His relations, or descendants of relations, who were living at the time of his death to apply immediately, by letter, to Mr. J. C. D. Bevan, 117 Bishopsgate-street Within, stating their degree of relationship.

**POOLEY, ELIZABETH**, Widow, whose maiden name was Jacobs, 60 Warren-street, Fitzroy-square (who died on or about January 25, 1855). Her relations or next of kin to apply, either personally or by letter, to the Solicitor of the Treasury, Whitehall.

**RICHARDSON, ELIZABETH**, Widow, late of Beckfoot, Westmoreland (who died on or about March 10, 1857). V. C. Stuart. July 21.

**SPENCER AND HARDY FAMILIES**. The relatives of these families to apply, by letter only, to B. Hone, Esq., Solicitor, 9 Ely-place, London.

**STREET, SAMUEL**, Cowkeeper, Everton, late of Kirkdale, near Liverpool (who died in or about December, 1857). Street v. Street and others, office of Registrar, Liverpool, July 4.

## Railway Stock.

RAILWAYS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Birk. Lan. & Ch. June..	..	..	93	..	..	67½
Bristol and Exeter .....	..	..	80½	81	94 3	94 3
Caledonian .....	73½	80	..	..	..	..
Chester and Holyhead .....	..	..	..	..	..	14½
East Anglian .....	..	..	..	..	..	..
Eastern Counties .....	55	54½	55½	55½	56½	56½
Eastern Union A. Stock .....	..	..	..	..	..	..
Do. B. Stock .....	..	..	..	..	27½	27½
East Lancashire .....	87	86½	..	87	..	87
Edinburgh and Glasgow .....	..	..	..	..	..	..
Edin. Perth, and Dundee .....	..	..	..	26	..	26
Glasgow & South-Westn. .....	..	..	..	..	..	..
Great Northern .....	99½	100	99½	100½	100	100½
Do. A. Stock .....	..	80½	81½	2	..	82
Do. B. Stock .....	..	..	..	..	..	..
Gt. South & West. (Ire.) .....	..	..	..	..	..	..
Great Western .....	54	54½	54½	54½	55½	54½
Do. Stour Vly. G. Stk. .....	88½	..	89½	89½	90	90½
Lancashire & Yorkshire .....	..	109½	11	11½	..	111
Lon. Brighton & S. Coast .....	89½	89½	90	90½	90½	90½
London & North-Westn. .....	..	..	90	91	90½	..
London & South-Westn. .....	35	35	35½	36	36½	36½
Man. Sheff. & Lincoln .....	98½	98½	99	100	99½	99½
Midland .....	..	..	..	..	..	..
Do. Birm. & Derby .....	..	..	..	..	..	..
Norfolk .....	55	..	55½	55½	56	56½
North British .....	54½	54½	55	..	55	55½
North-Eastern (Brewk.) .....	87½	87½	88½	..	88½	88½
Do. Leeds .....	..	45½	46½	..	45½	45½
Do. York .....	71½	71	72	72½	72½	72½
North London .....	..	..	..	100½	101½	100½
Oxford, Worc. & Wolver. .....	..	30	..	..	30½	30½
Scottish Central .....	..	..	..	..	..	..
Scot. N.E. Aberdeen Stk. .....	..	..	..	..	..	..
Do. Scotch Mid. Stk. .....	..	..	..	..	..	..
Shropshire Union .....	..	..	..	..	..	..
South Devon .....	..	..	..	..	..	..
South-Eastern .....	60½	60½	60½	61½	61½	61½
South Wales .....	..	..	..	..	89½	89½
Valle of Neath .....	64½	..	..	..	..	..

## English Funds.

ENGLISH FUNDS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Bank Stock .....	..	..	319 30	321 19	319 31	321
3 per Cent. Red. Ann. ....	93 2½	93½	94½	93½	93½	93½
3 per Cent. Cons. Ann. ....	94½	94½	..	93½	93½	93½
New 3 per Cent. Ann. ....	93½	93½	94½	93½	93½	93½
New 2½ per Cent. Ann. ....	..	..	..	..	..	..
5 per Cent. Ann. ....	..	..	..	..	..	..
Long Ann. (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Apr. 5, 1860) .....	..	..	..	..	..	..
India Stock .....	..	..	..	..	..	..
India Loan Debentures .....	94½	94½	95	95	95½	94½
India Loan Scrip. ....	93½	93½	94	93½	94	93½
India Bonds (£1,000) .....	..	..	..	88 d	..	88 d
Do. (under £1,000) .....	..	..	..	..	28 d	..
Consols for account .....	92½	92½	93½	93½	93½	92½
Exch. Bills (£1,000) Mar. 23 26 25 p	362½	362½	362½	362½	362½	362½
Do. June .....	..	..	..	..	..	..
Exch. Bills (£500) Mar. 23 26 25 p	362½	362½	362½	362½	362½	362½
Do. June .....	..	..	..	..	..	..
Exch. Bills (Small) Mar. 23 26 25 p	362½	362½	362½	362½	362½	362½
Do. June .....	..	..	..	..	..	..
Do. (Advertised) Mar. 23 26 25 p	362½	362½	362½	362½	362½	362½
Do. June .....	..	..	..	..	..	..
Exch. Bonds .....	..	..	..	..	..	..
Exch. Bonds, 1858, 9½ per Cent. ....	..	..	..	..	..	..
Do. (under £1,000) .....	..	..	..	..	..	..

## London Gazettes.

## Perpetual Commissioners for taking the Acknowledgments of Married Women.

TUESDAY, June 14, 1859.

**CHAPMAN, WILLIAM EMERSON**, jun., Gent., Horbling, county of Lincolnshire.

## Bankrupts.

TUESDAY, June 14, 1859.

**BECKETT, JONATHAN**, Licensed Victualler, Aylesbury. *Com. Fane*: June 24, and July 22, at 11.30; Basinghall-st. *Off. Ass. Cannan*. *Sols.* Venn, Naylor, & Robins, 9 Tokenhouse-yard. *Pet.* June 14.

**CONINGSBY, THOMAS**, Cheesemonger, 249 Bethnal Green-rd., now residing at Triangle-pl., Mile-end-gate. *Com. Holroyd*: June 23, at 2.30; and Aug. 2, at 12; Basinghall-st. *Off. Ass. Edwards*. *Sols.* Walters & Meakin, 8 Southampton-st., Bloomsbury. *Pet.* June 13.

**DAVIES, THOMAS**, Woollen Draper, Newport, Monmouthshire. *Com. Hill*: June 27, and July 26, at 11; Bristol. *Off. Ass. Miller*. *Sols.* Bevan & Girling, Bristol. *Pet.* June 9.

**DROUET, WILLIAM**, Hotel Keeper, Temple Bar Hotel, Fleet-st. *Com. Fane*: June 24, and July 22, at 11; Basinghall-st. *Off. Ass. Cannan*. *Sols.* Stackpole, Gray's-inn. *Pet.* June 10.

**JAMES, DAVID WILLIAM**, Coal Merchant, Llwynellyn Colliery, Glamorganshire. *Com. Hill*: June 27, and July 26, at 11; Bristol. *Off. Ass. Acraman*. *Sols.* Bevan & Girling, Bristol. *Pet.* May 31.

**MASON, EDWARD**, Victualler, Chester-ter., Eaton-sq. *Com. Goulburn*: June 27, at 1; and Aug. 1, at 11; Basinghall-st. *Off. Ass. Pennell*. *Sols.* Eagleton, 84 Newgate-st. *Pet.* June 11.

**PARKER, ROBERT**, Wheelwright, Tooley-st. *Com. Fomblancque*: June 23, at 12.30; and July 26, at 12; Basinghall-st. *Off. Ass. Stansfeld*. *Sols.* Butler, jun., 191 Tooley-st. *Pet.* June 13.

**RIMINGTON, HENRY**, Wholesale Stationer, 5 Queen-st., Chesham. *Com. Goulburn*: June 27, at 11; and Aug. 1, at 12; Basinghall-st. *Off. Ass. Nicholson*. *Sols.* Vining, 2 Moorgate-st. *Pet.* June 13.

**SHEWBROOKS, WILLIAM**, Builder, Taunton. *Com. Andrews*: June 27 and July 20, at 12; Exeter. *Off. Ass. Hirtzel*. *Sols.* Stogdon, Exeter. *Pet.* June 11.

**WATSON, JOSEPH JOHN WILLIAM**, Coal Master, of the Knapp, Charlton Kings, and of Lydney, Gloucestershire. *Com. Hill*: June 23 and July 26, at 11; Bristol. *Off. Ass. Miller*. *Sols.* Treherne & White, Bucklersbury. *Pet.* June 2.

FRIDAY, June 17, 1859.

**BARKER, DAVID**, Corn Chandler, Milbank-st., Westminster, also of Grosvenor-st., Eaton-sq., and Dorset-pl., Pall Mall. *Com. Goulburn*: June 29, at 12; and Aug. 1, at 1; Basinghall-st. *Off. Ass. Pennell*. *Sols.* Reed, 2a St. Ann's-lane, City. *Pet.* June 16.

**BELL, WILLIAM**, Tailor, Crowle, Lincolnshire. *Com. Ayrton*: June 29 and July 27, at 12; Kingston-upon-Hull. *Off. Ass. Carrick*. *Sols.* Shackleton & Son, Kingston-upon-Hull; or T. H. Carnochan, Crowle, or T. H. Carnochan, London. *Pet.* June 16.

**CARTER, SAMUEL**, Corn Merchant, Tien Stanton, Huntingdonshire. *Com. Evans*: June 28, at 11; and July 21, at 1.30; Basinghall-st. *Off. Ass. Johnson*. *Sols.* Lawrence, Piers, & Boyer, Old Jewry-chambers. *Pet.* June 19.

**CHAPMAN, WILLIAM CHARLES**, & **WILLIAM HENRY LITTLEPAGE**, Coopers, 15 Harp-lane, also of 60 & 61 Berners-st., Southwark (J. B. Chapman & Co.). *Com. Holroyd*: July 2, at 12.50; and Aug. 2, at 2; Basinghall-st. *Off. Ass. Edwards*. *Sols.* Hubbard, 18 Bucklersbury. *Pet.* June 14.



DURSTON, EDWIN MORRY, Grocer, Bath. *Com. Hill:* June 28, and July 26, at 11; Bristol. *Off. Ass. Miller. Sols. Slack & Simmonds, Bath:* or Abbot, Lucas, & Leonard, Bristol. *Off. Ass. Stansfield. Sols. Freeman, 11 Bucklersbury. Pet. June 14.*

FITZJOHN, JOHN, Auctioneer, March, Isle of Ely. *Com. Fomblanque:* June 29, and July 26, at 1; Basinghall-st. *Off. Ass. Stansfield. Sols. Freeman, 11 Bucklersbury. Pet. June 7.*

GARWOOD, CHRISTOPHER, Builder, 1 Ledbury-rd. North, Bayswater. *Com. Fomblanque:* June 29, at 1.30; and July 29, at 12; Basinghall-st. *Off. Ass. Stansfield. Sols. Smith, 13 Wilmington-sq.; or Webb, 11 Cook's-st. Pet. June 13.*

GOODWIN, JOHN, Grocer, Ripley, Derbyshire. *Com. Sanders:* June 29, and July 19, at 11; Nottingham. *Off. Ass. Harris. Sols. Gamble, Derby. Pet. June 14.*

HARRIS, JAMES, Grocer, Northampton. *Com. Fomblanque:* July 1, at 1.30; and July 26, at 2; Basinghall-st. *Off. Ass. Stansfield. Sols. Linklaters & Hackwood, 7 Walbrook. Pet. June 6.*

SHARP, JAMES, Apothecary, 21 Grosvenor-st. West, Eaton-sq. *Com. Fane:* July 1 & 29, at 11; Basinghall-st. *Off. Ass. Cannan. Sols. Hawes & Willmott, 82 High-st., Southwark. Pet. June 17.*

WILDING, JOHN THOMAS, Builder, Dovercourt. *Com. Fane:* July 1, at 1.30; and July 29, at 11; Basinghall-st. *Off. Ass. Whitmore. Sols. Rixon, Son, & Anton, 38 Cannon-st.; or Fulbrick, Colchester. Pet. June 14.*

## BANKRUPTCY ANNULLED.

TUESDAY, June 14, 1859.

WESTON, MATTHEW, JUN., & FRANK WESTON, Cheese Factors, Todd-st., Manchester (Matthew & Frank Weston.) June 9.

## MEETINGS FOR PROOF OF DEBTS.

TUESDAY, June 14, 1859.

ARMSTRONG, JOHN, Earthenware Manufacturer, South Shields. July 6, at 11; Newcastle-upon-Tyne.

BARNUM, THOMAS, Wine Merchant, 10 Pall Mall East, and of Willenden. July 5, at 1; Basinghall-st.

HAILEY, DAVID, Ship Owner, St. Helen's-pl., now of Herne Bay. July 6, at 12.30; Basinghall-st.

LAWSON, WILLIAM, Surgeon, 28A Howland-st., Fitzroy-sq. July 5, at 12; Basinghall-st.

LUMSDON, JAMES, & WILLIAM LUMSDON, Anchor Manufacturers, South Shields (Edward Lumsdon & Sons) July 13, at 11.30; Newcastle-upon-Tyne.

MCLAREN, ROBERT, & JAMES MCLAREN, Builders, Hulme, Manchester. June 30, at 12; Manchester.

MCKENBECK, JOHN BERNARD, Tailor, West Hartlepool. July 8, at 11.30; Newcastle-upon-Tyne.

NORRIS, JOHN, Shoe Manufacturer, Great Bridge and Wednesbury, Staffordshire. July 6, at 11; Birmingham.

PEARSON, JOHN, Grocer, Maryport, Cumberland. July 6, at 11.30; Newcastle-upon-Tyne.

RENDER, HENRY, Oil Merchant, Manchester and Newton Heath. June 29, at 12; Manchester.

SAMPSON, JAMES, Picture Dealer, 10 Park-st., Bristol. July 7, at 11; Bristol.

SPRINGALL, JOHN ROUCE, Engineer, 19 High-st., Bow, Essex. July 5, at 1; Basinghall-st.

WILLIAMSON, GEORGE, Woollen Manufacturer, Stair Mill, Crosthwaite, Cumberland (John Williamson & Son.) July 9, at 11; Newcastle-upon-Tyne.

FRIDAY, June 17, 1859.

ADAMS, HENRY, Moorman, High-st., Uxbridge. July 8, at 1; Basinghall-st.

ATKINSON, JOHN, SEN., Flax Spinner, Bishop Thornton, Yorkshire. July 8, at 11; Leeds.

BAVIN, JOHN, Milliner, Norwich. July 8, at 12; Basinghall-st.

BROOK, WILLIAM SCHOLFIELD, Woollen Merchant, Crosland Moor, Yorkshire. July 8, at 11; Leeds.

BURY, THOMAS, Dyer, Salford. July 15, at 12; Manchester.

CARTER, HENRY, Tailor, Worthing. July 8, at 1; Basinghall-st.

CARVER, JOHN, & WILLIAM PEIT, Merchants, Basinghall-st. July 8, at 11; Basinghall-st.

DICKINSON, JOHN GLADWIN, Draper, 30 Robertson-st., Hastings. July 11, at 2.30; Basinghall-st.

DREW, THOMAS, Butcher, 29 Weymouth-st., Portland-pl. July 11, at 2.30; Basinghall-st.

EVANS, JOHN, Ship Builder, Aberystwith. July 14, at 11; Bristol.

GEORGES, JAMES, GEORGE BATTISON HAINES, WILLIAM RICHARD HEATH, & JOHN METCALF, Electro-Platers, Birmingham. July 11, at 11; Birmingham.

HAMMOND, ROBERT, Builder, Ripon. July 1 (and not 4, as previously advertised), at 11; Leeds.

HOBBS, GEORGE, Lace Manufacturer, Nottingham. July 12, at 11; Nottingham.

HUNT, WILLIAM, Cotton Manufacturer, 118 Market-st., Manchester, and of Tonge, near Middleton. July 1, at 12; Manchester.

JONES, THOMAS, Grocer, High-st., Merthyr Tydfil. July 14, at 11; Bristol.

MELSON, GEORGE, & JAMES TERRAS, Joiners, Ardwick, Manchester (Mellor, Son, & Terras.) July 1, at 12; Manchester.

MOSE, WILLIAM, Manufacturer, Padham, Lancashire. July 8, at 12; Manchester.

NEALE, GEORGE, Innkeeper, Shadlow, Derbyshire. July 12, at 11; Nottingham.

NORRIS, JOHN (and not JOHN NORRIS, as previously advertised), Shoe

Manufacturer, Great Bridge and Wednesbury. July 6, at 11; Birmingham.

NOBLE, FRANCIS, JUN., Linendraper, Brighouse, Yorkshire. July 25, at 11; Leeds.

SMITH, TILDEN, JAMES HILDER, GEORGE SCRIVEN, & FRANCIS SMITH, Bankers & Copartners, Hastings (Smith, Hilder, Scriven, & Smith.) July 8, at 1.30; Basinghall-st.

TRENTMAN, JAMES, Timber Merchant, Leeds. July 9, at 11; Leeds.

WATSON, JONATHAN, Print Seller, 7 Vere-st., Marylebone. July 11, at 2.30; Basinghall-st.

## CERTIFICATES.

To be ALLOWED, unless Notice be given, and Cause shown on Day of Meeting.

TUESDAY, June 14, 1859.

COWAN, ROBERT, Timber Merchant, Newcastle-upon-Tyne. July 8, at 12.30; Newcastle-upon-Tyne.

JOHSON, THOMAS, Ship Owner, West Hartlepool. July 6, at 12.30; Newcastle-upon-Tyne.

MUNKENBECK, JOHN BERNARD, Tailor, West Hartlepool. July 8, at 12; Newcastle-upon-Tyne.

NORRIS, WILLIAM, & JAMES NORRIS, Ship & Anchor Smiths, Liverpool (W. & J. Norris.) July 6, at 12; Liverpool; separate Certificate to each.

NORRIS, JOHN, Shoe Manufacturer, Great Bridge and Wednesbury, Staffordshire. July 11, at 11; Birmingham.

PEARSON, JOHN, Grocer, Maryport, Cumberland. July 6, at 11.30; Newcastle-upon-Tyne.

POLAK, BERNHARD, Foreign Importer, 17 Broad-st.-bldgs. July 5, at 1; Basinghall-st.

PRITCHARD, WILLIAM, Builder, Bushey Heath, Herts. July 6, at 1; Basinghall-st.

SCHOFIELD, JAMES, & LOUIS HORRIS, Grease Manufacturers, Blue Fitts, Rochdale, and Kelghiey, Yorkshire (Schofield & Horrie.) July 7, at 12; Manchester.

SLATT, SARAH HOLDEN (and not SARAH HOLDEN SLATT, as advertised in last week's Gazette), Sail Maker, formerly of Salt-house-bldgs., Liverpool, late of Commercial-rd. East, and Steepy-green, now of 379 Strand (Slatt, Black, & Co.) June 28, at 1; Basinghall-st.

FRIDAY, June 17, 1859.

BARNETT, BENJAMIN LONGBRIDGE, Shipowner, 95 Gracechurch-st. (formerly in copartnership with William Henry Edward Wilson Rows.) July 8, at 11.30; Basinghall-st.

BROWN, JOHN, Clothier, Nottingham. Aug. 2, at 11; Nottingham.

HOWLETT, WILLIAM, Builder, Dovercourt-lodge, Harwich. July 8, at 1; Basinghall-st.

HUTCHINSON, THOMAS, Joiner, Nottingham. Aug. 2, at 11; Nottingham.

MORRIS, JOHN (and not JOHN MORRIS, as previously advertised), Shoe Manufacturer, Great Bridge and Wednesbury. June 11, at 11; Birmingham.

PARRY, JOHN, Horse Dealer, Wern, Carnarvonshire. June 11, at 12; Liverpool.

STANFORD, JOSEPH, & THOMAS STANFORD, Washer Manufacturers, Wednesbury Oak, Staffordshire. July 8, at 11; Birmingham.

VANES, JOHN HOLLIS, Tannor, Stourport & Dudley, Worcestershire. July 8, at 11; Birmingham.

To be DELIVERED, unless APPEAL be duly entered.

TUESDAY, June 14, 1859.

CAVE, WILLIAM, Builder, Bettons-ter., Millwall. June 8, 3rd class.

COLLISHAW, ROBERT, Grocer, Hilditch, Nottingham. June 7, 2nd class.

DRAGE, GEORGE ALLIBONE, Boot & Shoe Manufacturer, Olney, Buckinghamshire. June 1, 3rd class.

GOLDBERG, JUDAH, Boot & Shoe Manufacturer, 187 Brick-lane, White-chapel. June 3, 3rd class, to be suspended 6 months.

HEWITT, EDWARD, Corn Factor, Chatham. June 1, 3rd class, to be suspended 6 months.

HORNCASTLE, WILLIAM GEORGE, Auctioneer, 230½ High-st., Poplar. June 3, 2nd class.

HOTLES, EDWARD, Grocer, Coningsby, Lincolnshire. June 1, 3rd class, at the expiration of 21 days.

HUNT, HENRY, Chemist, 1 St. George's-ter., Islington. May 31, 2nd class, subject to a certain condition named in the order.

MANN, JOHN SWALES, Ironmonger, Burnley, Lancashire. June 9, 2nd class.

METCALF, ALFRED, Draper, Bridlington. June 8, 3rd class at the expiration of 21 days.

MORGAN, JOHN CLARKE, Innkeeper, Hereford. June 9, 3rd class.

PONTER, JAMES, Licensed Victualler, Chester-rd., Hulms, Manchester. June 9, 3rd class, after a suspension of 3 months.

WOOD, THOMAS, Cow Keeper, 1 Granville-pl., Baginbidge-wells-rd. June 8, 2nd class.

FRIDAY, June 17, 1859.

PRICE, GEORGE, & JAMES PRICE, Wine & Cigar Merchants, 14 Regent-st., and 13 Carlton-st., Regent-st. June 10, 3rd class, after suspension of 6 months.

ROBIN, JOSEPH, Corn Dealer, Dartford. June 6, 2nd class.

SHREPPARD, JOHN, Tte Manufacturer, King's Lynn, Norfolk. June 10, 2nd class.

SMITH, WILLIAM, Fish Merchant, Runham, Norfolk. June 10, 3rd class, after suspension of 3 months.

WHEELER, ROBERT, Oil & Colouman, 58 Crawford-st. May 19, 2nd class.

## Assignments for Benefit of Creditors.

TUESDAY, June 14, 1859.

**BEVANT, JOHN**, Draper, Topham, Devonshire. May 27. *Trustees*, J. T. Stettard, Warehouseman, Wood-st.; W. White, Jun., Warehouseman, Cheapside. *Sols.* Higgins, Exeter; Mason & Sturt, Gresham-st.

**BUTLER, JOSHUA**, Baker, 150 Tottenham-court-road. May 23. *Trustees*, S. Garratt, Miller, Felling Mills, near Welwyn, Herts; H. Kelsey, Miller, Lower Mill, Carshalton. *Sol.* Chamberlain, 168 Tottenham-court-rd.

**CUTCHET, GEORGE WALTER**, Clothier, 164 High-st., Borough. May 28. *Trustees*, H. Parnall, Wholesale Clothier, 187 Bishopsgate-st. Without; T. E. Smith, Warehouseman, 11 Moonditch. *Sol.* Huson, 4 King-st., Cheapside.

**GREGG, SAMUEL**, Slater, Handbridge, Chester. June 9. *Trustees*, R. Roberts, Slate Merchant, Chester; J. Hitchen, Builder, Chester. *Sol.* Bridgman, Chester.

**JOHNS, CONSTANT FREDERICK**, Cabinet Maker, Penryn, Cornwall. May 25. *Trustees*, J. Tresedder, Gent., Penryn. *Sol.* Tresidder, Falmouth.

**MOORE, EDWARD**, Linendraper, Brighton-pl., Brixton-rd. June 6. *Trustees*, F. Palmer, Warehouseman, 1 Watling-st.; E. J. Luck, Warehouseman, Love-lane. *Sols.* Van Sandan & Cumming, 27 King-st., Cheapside.

**TOMLINSON, WILLIAM LUDINGTON**, Tailor, Gainsborough. May 26. *Trustees*, M. Parker, Draper, Gainsborough; B. Barlow, General Dealer, Gainsborough. *Sol.* Hayes, Gainsborough. Creditors to execute before July 2.

FRIDAY, June 17, 1859.

**ABEOTT, LEWIS BRADLEY**, Butcher, Thrapstone, Northamptonshire. May 30. *Trustees*, J. Linnell, Farmer, Islip; S. P. Loete, Farmer, of Thorp Achurch, Northamptonshire. *Sol.* Archbould, Thrapstone.

**ACKERMANN, GEORGE**, & **DAVID ALEXANDER YOUNG**, Printers, 106, Strand. May 18. *Trustees*, F. P. Barlow, Paper Maker, Old Bailey; E. Cambart, Printer, Berners-st.; W. Day, Lithographer, Gate-st., Lincoln's-inn-fields. *Sol.* Paterson, 7 Bouverie-st.

**BURGESS, ALEXANDER INNES**, Pawnbroker, 10 Clarence-pl., Camberwell-rd. June 4. *Trustees*, T. P. Scrivener, Accountant, Norfolk-st., Strand. *Sols.* Pawie, Belfrage, & Asprey, 7 New-inn.

**GILL, RICHARD**, and **GEORGE DIBB**, Earthenware Manufacturers, Allerton, Bywater, Yorkshire. June 10. *Trustees*, J. Horn, Ground Flint Manufacturer, Castleford, Yorkshire; W. Gill, China Dealer, same place. *Sol.* Bradley, Castleford.

**HARDY, THOMAS, SEN.**, & **THOMAS HARDY, JUN.**, Builders, Cowley, Middlesex. June 2. *Trustees*, James Montgomery, Timber Merchant, Brentford; John Rayner, Chemist, Uxbridge; Edward Rogers, Ironmonger, Uxbridge. *Sols.* Woodbridge & Sons, Uxbridge.

**HOOK, WILLIAM**, Builder, West Teignmouth. May 27. *Trustees*, John Allen, Merchant, Plymouth; Charles Robert Stooke, Ironmonger, West Teignmouth. *Sol.* Templar, West Teignmouth.

**JACKSON, JAMES, AARON FISHER**, & **JOHN JONES HARNET**, Crinoline Steel Manufacturers, Sheffield. May 19. *Trustees*, James Chesterman, Optician, Sheffield; William Nicholson, Steel Merchant, Sheffield; William Littlewood, Merchant, Sheffield. *Sol.* Unwin, Sheffield.

**MARSHALL, WILLIAM, JUN.**, Glass and Lead Merchant, Nottingham. June 7. *Trustees*, W. Pilkington, Glass Manufacturer, St. Helen's; W. H. Wilcockson, Manager of the Nottingham and Nottinghamshire Banking Company. *Sol.* Shilton, Nottingham.

**OURY, CHARLES**, Bookseller, Bank Plain, Norwich. May 23. *Trustees*, J. W. Lacey, Builder, Norwich; G. W. Spence, Accountant, Heigham, Norwich. *Sol.* Sadd, Norwich. Creditors to execute on or before Aug. 23.

## Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, June 14, 1859.

**ADDECOTT, WILLIAM**, Carpenter, Little York-pl., Portman-sq. (who died in or about the month of Nov., 1853). Addecott v. Addecott, M. R. July 12.

**BELL, JOHN GILLAM, JUN.**, Gent., a Lunatic, late of Sussex House, Hammersmith, and formerly of the town of Cambridge (who died on Mar. 14, 1859). Bell v. Bell, V. C. Stuart. July 12.

**CROSBY, WILLIAM**, Gent., Bannal, Yorkshire (who died in or about the month of Nov., 1856). Wells v. Wood and others, V. C. Wood. July 8.

**GROOME, WILLIAM**, Gent., Arundel, Sussex (who died in or about the month of Jan., 1836). Smelt v. Attorney-General, M. R. July 4.

**RACLIFF, GEORGE**, Yeoman, Kelcot, Gloucestershire (who died on Feb. 25, 1857). Raccliff & others v. White & Wigmore, V. C. Stuart. July 9.

**SENFRED, ELIZABETH**, Sunderland (who died in or about the month of Aug., 1844). Wright v. Reynolds, M. R. June 30.

**SIDGINGTON, JOE**, Hartwood-lodge, Mottram-in-Longendale, Cheshire (who died on or about Mar. 1, 1849). Sidebottom v. Sidebottom & others, V. C. Wood. July 7.

FRIDAY, June 17, 1859.

**CANNY, RICHARD BRICK**, Gent., formerly of 4 Vale-pl., Guildford, and late of the Island of Jersey (who died in or about the month of Feb., 1859). Canny v. Canny, M. R. July 14.

**EDMONDS, THOMAS**, Paper Manufacturer, Chipping Wycombe, Buckinghamshire (who died in or about the month of Nov., 1851). Butler v. Ashfield, M. R. July 13.

**EVERFIELD, GEORGE ANDREW**, late a Paymaster in the Royal Navy, serving on board Her Majesty's ship Madagascar (who died in or about the month of March, 1856). Aldous & another v. Everfield, V. C. Wood. Nov. 3.

**HACKER, JACOB**, Mason, Bathwick, Somersetshire (who died in or about the month of Jan., 1838). Hacker v. Gooding, V. C. Stuart. July 31.

**RAYSON, ROBERT**, Gent., Stockton (who died in or about the month of May, 1849). Rayson v. Watson and another, V. C. Stuart. July 21.

**SKERT, JOHN**, Gent., 3 Brixton-rise (who died in or about the month of May, 1859). Skert v. Skert and another, V. C. Wood. July 16.

**TAYLOR, BENJAMIN**, Cordwainer, Bellbroughton, Worcestershire (who died in or about the month of December, 1825). Bunn v. Malpas and wife, M. R. July 15.

## Windings-up of Joint Stock Companies.

TUESDAY, June 14, 1859.

UNLIMITED, IN CHANCERY.

**CAXTON LIFE ASSURANCE SOCIETY**.—Creditors to come in and prove their debts before V. C. Wood.

**KENT BENEFIT BUILDING SOCIETY**, also called the **KENT FREEHOLD LAND SOCIETY**.—V. C. Kindersley, on June 15, at 1.30, to settle the list of contributories.

**MANDALE MINING COMPANY**.—The Master of the Rolls has appointed Robert Palmer Harding, of 5 Serle-st., Lincoln's-inn, Official Manager of this Company.

LIMITED IN BANKRUPTCY.

**WEST OF ENGLAND IRON COMPANY (LIMITED)**.—For proof of debts, July 12, at 12, at Bristol. Official Liquidator, Miller, Bristol.

FRIDAY, June 17, 1859.

UNLIMITED, IN CHANCERY.

**BRITISH AND FOREIGN RELIANCE MARINE ASSURANCE COMPANY**.—Creditors to prove their debts before V. C. Wood, on June 27, at 1, and appoint an Official Manager. Order for winding up, June 11.

**WREAL HELEN MINING COMPANY**.—M. R., on June 22, at 12, will make a call on the list of Contributories of 15s. per share.

LIMITED IN BANKRUPTCY.

**BOG MINING COMPANY**.—Commissioner Holroyd will, on June 24, at 2, at Basinghall-st., proceed to settle the list of Contributories.

## Scotch Sequestrations.

TUESDAY, June 14, 1859.

**BROWN, DAVID** (now deceased), Wright & Builder, Dundas-st., Glasgow. June 18, at 4; Crow-hotel, George-sq., Glasgow. *Seg.* June 9.

**M'NAB, DUNCAN**, House Factor, Glasford-st., Glasgow, & **ALEXANDER M'DONALD**, Slater, Gt. Hamilton-st., copartners. June 21, at 12; Faculty-hall, St. George's-pl., Glasgow. *Seg.* June 11.

**REIDFOOD, JAMES, SEN.**, Farmer, Westside, or Wester Cornkie, Banff. June 18, at 12; Ann Gray's-inn, Aberchirder. *Seg.* June 8.

FRIDAY, June 17, 1859.

**M'GILL, JOHN**, Cattle Dealer, Coynton, Ayrshire. June 22, at 1; Star Hotel, Ayr. *Seg.* June 11.

**PARK, ARCHIBALD**, Merchant, George-st., Edinburgh (A. & J. Park). June 23, at 2; Stevenson's-rooms, 4 St. Andrew-square, Edinburgh. *Seg.* June 13.

## VICTORIA AND LEGAL AND COMMERCIAL

**LIFE ASSURANCE COMPANY**, 18, King William-street, City. The business of the Company embraces every description of risk connected with Life Assurance. Credit allowed of one-third of the Premiums till death, or half the Premiums for five years, on Policies taken out for the whole of Life. Residence in most of the Colonies allowed without payment of any extra Premium, and the rates for the East and West Indies are peculiarly favourable for Assurers. Endowment Assurances are granted payable at 60, 65, or any other age, or at death, should that happen previously. Four-fifths or 80 per cent. of the entire Profits are appropriated to Assurers on the Profit Scale.

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JOHN JOHNSON, Secretary.

## THE ESTATES GAZETTE.—A Paper devoted to

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## TEETH.

**A NEW DISCOVERY IN ARTIFICIAL TEETH, GUMS, AND PALATES;** composed of substances better suited, chemically and mechanically, for securing a fit of the most unerring accuracy, without which desideratum artificial teeth can never be but a source of annoyance. No springs or wires of any description. From the flexibility of the agent employed pressure is entirely obviated, stumps are rendered sound and useful, the workmanship is of the first order, the materials of the best quality, yet can be supplied at half the usual charges only by

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## TEETH.

BY HER MAJESTY'S ROYAL LETTERS PATENT.

**NEWLY-INVENTED APPLICATION OF CHEMICALLY-PREPARED INDIA-RUBBER** in the construction of Artificial Teeth, Gums, and Palates.

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A new, original, and invaluable invention, consisting in the adaptation, with the most absolute perfection and success, of CHEMICALLY-PREPARED INDIA-RUBBER in lieu of the gold or bone frame.

The extraordinary results of this application may be briefly noted in a few of their most prominent features:—All sharp edges are avoided; no spring wires or fastenings are required; a greatly increased freedom of action is supplied; a natural elasticity, hitherto wholly unattainable, and a fit, perfected with the most unerring accuracy, are secured; while from the softness and flexibility of the agent employed, the greatest support is given to the adjoining teeth when loose or rendered tender by the absorption of the gums. The acids of the mouth exert no agency on the chemically-prepared India-rubber, and, as it is a non-conductor, fluids of any temperature may be retained in the mouth, all unpleasantness of smell and taste being at the same time wholly provided against by the peculiar nature of its preparation.

Teeth filled with Gold and Mr. EPHRAIM MOSELY'S White India-rubber, the only stopping that will not discolour the front teeth.

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**A SAFE AND CERTAIN REMEDY FOR COUGHS, Colds, Hoarseness, and other Affections of the Throat and Chest. IN INCIPENT CONSUMPTION, ASTHMA, AND WINTER COUGH,** they are invaluable. Being free from every harmful ingredient, they may be taken by the most delicate female or the youngest child; while the Public Speaker and Professional Singer will find them invaluable in allaying the hoarseness and irritation.

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THOMAS FRANCIS, Vicar Choral.

To Mr. Keating.

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at 47s., 50s., 55s., 60s., and 63s., made to order from materials all wool and thoroughly shrunken, by B. BENJAMIN, Merchant and Family Tailor, 74, Regent-street, W., are better value than can be procured at any other house in the kingdom. The Two-Guinea Dress and Frock Coats, the Guinea Dress Trousers, and the Half-Guinea Waistcoat. N.B. A per cent is guaranteed.

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## THE TWENTY-SEVENTH ANNIVERSARY

DINNER will take place at the FREEMASONS' TAVERN, GREAT QUEEN-STREET, on TUESDAY, the 21st day of JUNE, 1859.

THE HON. MR. BARON MARTIN in the Chair.

## HONORARY STEWARDS.

The Right Hon. Lord Wensleydale.  
The Right Hon. Lord Kingsdown.  
The Right Hon. Sir J. T. Coleridge.  
The Hon. Mr. Baron Bramwell.  
The Hon. Mr. Baron Watson.  
The Hon. Mr. Baron Chancell.  
Her Majesty's Advocate-General.  
Her Majesty's Attorney-General.  
Her Majesty's Solicitor-General.  
Sir Richard Bethell, Q.C., M.P.  
Sir A. D. Croft, Bart.  
W. Whately, Esq., Q.C.  
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G. M. Giffard, Esq., Q.C.  
Mr. Sergeant Ballantine.  
Mr. Sergeant Parry.  
W. D. Lewis, Esq.  
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D. S. Morrice, Esq.  
H. S. Westmacott, Esq.

## ACTING STEWARDS.

Mr. Dyson.  
Mr. Green.  
Mr. Harper.

Mr. King.  
Mr. Mathews.  
Mr. Noad.

Mr. G. L. Vanderpump.

Mr. D. L. Tombs.  
Mr. Tuff.  
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TICKET, ONE GUINEA. DINNER ON TABLE AT SIX O'CLOCK PRECISELY.

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COLONIAL BRANDY, Pale or Brown,

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Middleton, near Manchester. "Sir, I am now 44 years of age, and I have been afflicted with an asthmatic cough since I was a boy 15 years of age; during that time I have resorted to every means in my power to remove it, but in vain, until last Sunday, when I sent for a small box of Dr. Locock's Wafers. I have taken two boxes since, and from the effects they have had upon me, I feel no doubt of a speedy recovery."—G. STYNGER. "To singers and public speakers they are invaluable for clearing and strengthening the voice. They have a most pleasant taste. Price 1s. 1½d., 2s. 6d. and 11s. per box. Sold by all medicine vendors."

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Deranged stomach, sick headache.—Our comfort, happiness, and security depend on the knowledge that most diseases originate by apparently a trifling beginning, and the large proportion of them spring from inattention to the state of the stomach. Professor Holloway has turned this knowledge to useful account by discovering medicines which rectify the error as soon as it is seen, and save the patient from loss of appetite, strength, and energy, which are, without exception, the attendant on disordered digestion. They ward off, likewise, the torturing sick headache. The ointment should be well rubbed, twice daily, over the stomach, liver, and bowels, to them it penetrates, and, aided by the pills, immediately works such a revolution as establishes perfect digestion.



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**ELASTIC STOCKINGS, KNEE-CAPS, &c.,** for VARICOSE VEINS, and all cases of WEAKNESS and SWELLING of the LEGS, SPRAINS, &c. They are porous, light in texture, and inexpensive, and are drawn on like an ordinary stocking. Price, from 7s. 6d. to 16s. each; postage, 6d.

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The Company advance money, unlimited in amount, for works of land improvement, the loans and incidental expenses being liquidated by a rent-charge for a specified term of years.

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For further information, and for forms of application, apply to the Hon. WILLIAM NAPIER, Managing Director, 2, Old Palace-yard, Westminster.

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The Funds or Property of the Company as at 31st December, 1857, amounted to £617,801, invested in Government or other approved securities.

Annual Income, upwards of £111,000 from premiums alone.

The Hon. FRANCIS SCOTT, CHAIRMAN.

CHARLES REEWICK CURTIS, Esq., DEPUTY CHAIRMAN.

**INVALID LIVES.**—Persons not in sound health may have their lives insured at equitable rates.

**ACCOMMODATION IN PAYMENT OF PREMIUM.**—Only one-half of the Annual Premium, when the Insurance is for life, is required to be paid for the first five years, simple interest being charged on the balance. Such arrangement is equivalent to an immediate advance of 50 per cent. upon the Annual Premium, without the borrower having recourse to the unpleasant necessity of procuring Sureties, or assigning and thereby parting with his Policy, during the currency of the Loan, irrespective of the great attendant expenses in such arrangement.

The above mode of Insurance has been found most advantageous when Policies have been required to cover monetary transactions, or when incomes applicable for Insurance are at present limited, as it only necessitates half the outlay formerly required by other Companies before the present system was instituted by this Office.

**LOANS** are granted likewise on real and personal securities.

Forms of Proposals and every information afforded on application to the resident Director, 8, Waterloo-place, Pall Mall, London, S.W.

By order,

E. LENNOX BOYD, Resident Director.

GRAY'S INN.—Set of Chambers on the east side of South-square.

**MESSRS. FAREBROTHER, CLARK, and LYE** are instructed to SELL, at GARRAWAY'S, on WEDNESDAY, JUNE 29, at TWELVE, a SET of CHAMBERS, consisting of three rooms on the first floor, with wine and coal cellars, &c. No. 6, on the east side of South-square, Gray's Inn, in the occupation of H. B. Legg, Esq. Held under the Hon. Society of Gray's Inn, renewable every seven years, subject to the usual fine.

Particulars may be had at Garraway's; and at the offices of Messrs. FAREBROTHER, CLARK, and LYE, 6, Lancaster-place, Strand.

**TO BE SOLD.**—Three Leasehold Cottages, at a term of 99 years, for £350.—Conveyance Free.—£200 of the purchase money may remain on Mortgage.

Also, a pair of Semi-Detached Villas (Freehold). A Furnished Villa to Let.

Apply to Mr. G. ORRISON, House and Land Agent, Surbiton-hill, S.W.

## ELIGIBLE INVESTMENT.—A freehold estate on the borders of Surrey and Hants

**TO BE SOLD by PRIVATE CONTRACT,** a most desirable and improvable estate, close to the Farnborough Railway Station on the South Western and Reading and Beigate Railways, comprising a large MANSION and well-timbered PARK, known as Farnborough-place, sunny farms, three hotels, and several houses, with three miles of frontage to the road leading from the Farnborough Railway Station to Aldershot Camp, and one mile of frontage to the North Camp, well adapted for building sites. The whole estate contains about 999 acres of land.

The manor of Farnborough extending over about 2,000 acres of land may be purchased with the estate.

For further particulars and an order to view apply to Messrs. JANSON, COBB, & PEARSON, Solicitors, 4, Basinghall-street, London; Messrs. FOSTER, 54, Pall Mall, London; or Mr. E. H. RIDGEN, Land Agent and Surveyor, Salisbury.

**ABSOLUTE SALE** of a valuable freehold estate, on the west side of Waterloo-road, near the South-Western Railway Station.

**MESSRS. ABBOTT & WRIGGLESWORTH** are instructed to SELL by AUCTION, at the MART, opposite the Bank of England, on FRIDAY, July 1, at ONE precisely, in Eleven Lots with immediate possession, TWO FREEHOLD DWELLING HOUSES and SHOPS, with warehouses behind, Nos. 82 and 83, Waterloo-road, in the occupation of Mr. Daniel Davies, Linendraper; NINE SIX-ROOMED THREE-STORY DWELLING HOUSES, with warehouse and yard to each, being Nos. 1 to 9, St. Andrew's-terrace; and the extensive premises in the Waterloo-road, recently occupied as a brewery and beer-house—all freehold, and worth, by estimation, upwards of £300 a year.

Printed particulars, with conditions of sale, may be had on the premises; of Messrs. PARKER, ROOKE, & PARKER, Solicitors, 17, Bedford-row, W.C.; at the Mart; and of Messrs. ABBOTT & WRIGGLESWORTH, 26, Bedford-row, W.C., London, and Eynesbury, St. Neots, Hunts.

**HIGH-STREET, ALDGADE,** in the city of London.—Important Freehold Property, comprising Two Houses and a large Plot of uncovered Ground in the rear.

**MESSRS. WINSTANLEY** have received instructions to offer for SALE by AUCTION, in ONE LOT, at the MART, BATHOLOMEW-LANE, on THURSDAY, JUNE 23, pursuant to a Decree of the High Court of Chancery, with the approbation of the Master, in the cause of "Bellingham and others v. Stewart and others," a valuable and eligible FREEHOLD ESTATE; comprising the dwelling-houses and premises, Nos. 30 & 31, High-street, Aldgate, with a very important plot of uncovered ground in the rear thereof, formerly the site of the Blue Bear Inn and coaching establishment, occupying an area of near 10,000 square feet, which is admirably adapted for the erection of warehouses or manufacturing premises, a railway carrier's depot, or for almost any other business purpose requiring light and space. No. 30 is let on lease for an unexpired term of two years from Midsummer next at £100 per annum; No. 31, together with the ground, is in hand, and possession will be given upon the completion of the purchase. The ground and the house, No. 31, can be viewed at any time; the house, No. 30, by permission of Mr. Mitchell.

Printed particulars, with conditions of sale, may be obtained of J. BOWEN MAY, Esq., Solicitor, 57, Russell-square; of Messrs. LANFEAR & STEWART, Solicitors, 11, Abchurch-lane, King William-street; of JOSHUA PEDLEY, Esq., Solicitor, 11, Poultry; of Messrs. WALKER & JERWOOD, Solicitors, 12, Fumival's-inn; of Messrs. WRIGHT & JEANNESET, Solicitors, 53, Lincoln's-inn-fields; at the place of sale; on the premises; and of Messrs. WINSTANLEY, Paternoster-row, E.C.

**HUNTINGDONSHIRE.**—Capital Freehold Farms, &c., tithe free, and clear of land-tax.

**MESSRS. FOSTER** will SELL by AUCTION, at the MART, London, on MONDAY, JULY 15, in six Lots, THREE very capital FARMS, lying together in the parish of Great Ravely, in the county of Huntingdon, and distant about seven miles from the county town of Huntingdon; comprising altogether about 752a. 0r. 21p.; also adjacent to the above farms a valuable inclosure of about 20a. 2r. 8p. of arable land; two very valuable inclosures of fen land, comprising about 35a. 0r. 20p.; and a public-house in the high-road from Huntingdon to Wood Walton. The whole being tithe free and let to first-class tenants at moderate rents, producing an annual rental of £295 10s., and offering most advantageous investments.

To be viewed on application to Mr. John Whatford, Three Horse Shoe at Ravely, who will show the farms. Particulars, with plans, may be had twenty-eight days prior to the sale, at the Fountain, Huntingdon; the Bull Hotel, Cambridge; the Lamb, Ely; Mr. TUSTING, Land Agent, March; at the Auction Mart, London; of Messrs. GARRARD & JAMES, 13, Suffolk-street, Pall-mall east, S.W.; and at Messrs. FOSTER'S, 54, Pall-mall.

**SUFFOLK.**—Very valuable Freehold Residential Farms, land-tax redeemed.

**MESSRS. FOSTER** will SELL by AUCTION, at the MART, LONDON, on MONDAY, JULY 15, in THREE LOTS, the following very valuable and important FARMS, situate in this county, and proximate to the market towns of Sudbury and Colchester, viz:—Three-hall Farm, in the parishes of Boxford and Avington, comprising 115a. 1r. 3p.; the Hill Farm, in the parishes of Stoke Avington and Fildes, comprising 179a. 1r. 8p.; and Peyton-hall Farm, in the parishes of Boxford, Polestead, Grotton, Stoke, and Avington, comprising 318a. 2r. 10p. The whole producing an annual rental of £799: at present let to first-class yearly tenants at moderate rents, and affording unusual advantages to capitalists for investment and occupation.

The lands may be viewed on application to Mr. JOHN WATSON, Freese Inn, Boxford, who will show them, and the residences, &c., by permission of the tenants 21 days before the sale. Particulars, with plans, may be had 28 days prior to the sale, at the Bull Inn, Bury St. Edmunds; the Cups, Colchester; the Rose and Crown, Sudbury; at the Auction Mart, London; of Mr. TUSTING, Land Agent, March; of Messrs. GARRARD & JAMES, No. 13, Suffolk-street, Pall-mall east, London, S.W.; or of Messrs. FOSTER, 54, Pall-mall, London.

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Owing to a pressure in our columns, we are obliged to postpone the insertion of several important matters till next week.

"A Subscriber," inquiring for the case of SPATOW v. FARRIER is requested to forward his name and address, and it will be attended to.

## THE SOLICITORS' JOURNAL.

LONDON, JUNE 25, 1859.

### CURRENT TOPICS.

Elsewhere in our columns will be found a report of the meeting which took place on Thursday, in Lincoln's-inn Dining Hall, for the purpose of establishing a volunteer rifle corps for the members of the Inns of Court. There was a very large attendance of members, including benchers, barristers, and students. The latter, of course, mustered in the greatest number, and probably will constitute the majority of the corps. The only objection amongst those present who were not benchers was, that the committee proposed to be formed consisted only of members of the bench of one or other of the four inns. A resolution was, therefore, proposed that the committee should have power to add to their number six members, to be taken from the outer bar. The expedient, however, did not appear to give entire satisfaction, as many seemed to think that the infusion of younger blood might have been made with advantage to a greater extent; and that there was nothing in a silk gown which insured a military spirit in its wearer. One gentleman who addressed the meeting humorously proposed that the members of Serjeants'-inn should be invited to join, and that they should have the honour of leading the forlorn hope, should such an occasion ever arise—a suggestion which took readily with those who regret the present depletion of the front ranks of the profession. It was understood that the movement for the establishment of this corps originated with Mr. Henry P. Roche, of the Chancery bar. So far it has been very successful; and no doubt will continue to be so, unless it be the fault of the committee.

As announced in our last, Sir Alexander Cockburn becomes Chief Justice of England, and Sir William Erie succeeds him as Chief Justice of the Common Pleas. It was generally supposed that Sir Henry Keating would succeed to the vacancy in the Queen's Bench, but it is now certain that he resumes his former post as Solicitor-General, and that his elevation to the

bench is postponed for the present. Mr. Wilde is talked of as the new judge, considerably to the surprise of the bar; for though enjoying a good practice, and reported to be a sound lawyer, that gentleman has hardly occupied the position which would have justified any hope of such an elevation. Mr. Headlam, as we anticipated, has been named Judge Advocate, a promotion which has been long and well earned by his services in the House of Commons. Yesterday, at a quarter past ten o'clock, Lord Campbell, attended by his personal staff, was sworn in as Lord Chancellor, by the Master of the Rolls, in the presence of the Lords Justices, the Vice-Chancellors, and a crowded bar. The usual motion being made by Sir Richard Bethell, the Attorney-General, that the oaths be recorded, his Lordship took his seat. He was immediately joined by the Lords Justices, and sat during the remainder of the day hearing appeals. He appeared to be in excellent health, and took to his new work as if he had been sitting in the Court of Chancery all his life. His Lordship has appointed as his principal secretary Mr. Vaughan Johnson, of the Chancery bar, the learned reporter of the decisions of Vice-Chancellor Wood, for some years past. An appointment more generally acceptable to both branches of the profession was never made. Mr. Johnson unites in himself the qualities of an able lawyer and a courteous and accomplished gentleman. We understand that Lord Campbell had got through all the existing business of the Court of Queen's Bench before his elevation to the woolsack, so that there are now no arrears, and therefore there will not be the usual sittings after term.

The prominent feature in the Courts during the week has been the case of *Ruck v. Stihwell*, an action for damages for illegal detention in a lunatic asylum. It appears that the certificate authorising the detention of the plaintiff was signed by Dr. Conolly and a Mr. Barnett; and it was contended by the plaintiff that the latter was incapacitated, because he had ceased to practise, and that the former was disqualified, because he had a pecuniary interest in the establishment to which Mr. Ruck was sent. The jury thought that the case, as related to Mr. Barnett, was not made out, there being no evidence that he was not practising as a medical man; but with regard to Dr. Conolly, they found that he was the regular professional attendant at the asylum, and, therefore, unable (under the statute) to sign the certificate. The plaintiff accordingly obtained a verdict, and damages to the amount of £500, but subject to the opinion of the Court above on a point reserved. We have no hesitation in expressing our opinion, that the pecuniary mulct inflicted on Dr. Stihwell is unjust, because no one can doubt that the plaintiff was insane at the time of his confinement, and that he benefited by the restraint, although there may have been some irregularity in signing the certificate. That irregularity was a subject for fair comment, and, slight as it was, it has been made the most of for Mr. Ruck; but we cannot quit the case without expressing our condemnation of the language used by the counsel for the plaintiff towards a man who has done more than any other in this country for the relief of sufferers from mental aberration. The name of John Conolly will live in future times beside those of Howard and Pinel, and it is the character of the bar which suffers by the license of coarse assault on such a reputation.

The annual meeting of the Law Amendment Society will take place this day, at three o'clock, in the rooms of the Society at Waterloo-place. Lord Brougham will take the chair, and a report from the Council will be read, noting the work of the Society during the past session. We observe that Mr. Collier has given notice of a Bill to carry out the recommendation of the committee, which has lately considered the subject of county court imprisonment.

## LEGAL EDUCATION.

The report of the Committee on Legal Education to the Benchers of the four Inns of Court, which will be found in our last week's number, is an important step towards the establishment of a Legal University. The committee recognise the necessity for a preliminary examination in general knowledge, so as to ensure a proper education in early life for the students in the Inns; and they recommend a compulsory examination of all candidates for admission to the Bar. Both these proposals have been often made, and as often rejected by the slow and obstructive bodies in whose hands is placed the future welfare of the Bar. We can only hope a better fate for the clear and admirable suggestions now again put forward by Sir Richard Bethell, and we do so the more heartily because this report seems to us to embody, at least, one new suggestion of a highly valuable character. It is proposed that the examiners, whether for the preliminary or the final examination, shall be independent members of the Bar, and that no benchers or lecturers shall be allowed to hold the office. Such a regulation is absolutely necessary if any permanent and efficient system of legal education is to be carried out; the same rule is strictly observed in our universities, and has led not only to a higher style of examination, but to a conviction of the impartiality of the examiners, and the uniform fairness of the test applied. The employment of a certain number of highly educated barristers to conduct the examinations, free from all bias and prepossession, would at once give confidence to the public in the *bona fide* character of the system, and act as a wholesome stimulus both to lecturers and students.

Compulsory attendance on lectures is wisely abandoned, and the classes would have to be filled by the ability and popularity of the lecturer, not by an enactment of the benchers.

If these proposals are carried out, the Inns of Court, united under one board of education, would form at once, and without further legislation, a Law University to all practical purposes, though the great desideratum of a free governing body, like Convocation at Oxford, or the Senate at Cambridge, would still be wanting. Professors are already in existence, and several are men of acknowledged repute, and of whose exertions in their respective departments it would be difficult to speak too highly; nor can we doubt that a compulsory examination would call into existence a body of self-constituted lecturers, quite as active and able as the authorised readers. Such a system, imperfect though it might be in some respects, would be an immense improvement in the present disorganised condition of the Inns.

But if such a change is to be made, solicitors have a right to be heard. Why should not a uniform system be established, and a law degree be granted as a common entrance to the profession, leaving it open to the graduate to take a further step as a qualification for practice at the bar? We by no means undervalue the exertions made by the Incorporated Law Society for the elevation of the standard of admission for solicitors, and we are aware that a preliminary examination in classics, or other general knowledge, is contemplated by that body; but the interests of the public require a common system of education for both branches, and it is needless to point out the facilities that would be given for a really efficient system of legal instruction by a union of all law students in one numerous university.

We shall probably return to this subject, bearing, as it does, on more than one point in which the welfare of solicitors is concerned.

**DINNER TO MR. BODKIN.**—On Saturday last the members of the bar practising in the Central Criminal Court gave a dinner to Mr. W. H. Bodkin, at the Brunswick, Blackwall, in congratulation of his appointment as assistant judge.

## The Courts, Appointments, Vacancies, &amp;c.

## COURT OF QUEEN'S BENCH.

## THE LATE DIVISION IN THE HOUSE OF COMMONS.

*The Queen v. Johnstone.*—June 16.

Mr. Collier said, he had to move their Lordships for a rule calling upon the editor of the *Morning Herald* to show cause why a criminal information should not be filed against him for one of the most scandalous libels ever published, and directed against Mr. William Digby Seymour, M.P. for Southampton, and a gentleman well known to the profession of the bar.

Lord CAMPBELL.—When I was at the bar, Mr. Collier, it was not usual to move for criminal informations upon the last day of term.

Mr. Collier.—The article, my Lord, was only lately published, and if Mr. Seymour is not allowed an opportunity of exculpating himself upon the present occasion, three months must elapse before he can do so.

Lord CAMPBELL.—It used to be said that there was no law upon the last day of term; but certainly our experience to-day has been otherwise.

Mr. Collier.—The libel of which Mr. Seymour complained was as follows, and it appeared in the *Herald* of Wednesday (June 15):—"It is well known that, at the commencement of the recent debate, a considerable majority of the House of Commons had pledged themselves to support the Government. The public will some day or other learn by what means several of our legislators were induced to violate the most solemn promises. Everything was done to influence waververs. Places were promised and rewards freely offered, which were, we fear, in too many instances, accepted. One case, more flagrant than the rest, demands notice. At the late election, Mr. Digby Seymour was returned for Southampton by the aid of the Conservative electors, to whom he pledged himself not to vote against Lord Derby's Government on a question of confidence. In accordance with this pledge, Mr. Digby Seymour spoke on the first night of the debate in support of ministers, yet his name figures in the list of the majority against the Government. We do not pretend to offer any explanation of conduct so extraordinary, but leave the new member for Southampton to arrangements with those Conservative supporters whose interests he has betrayed." Mr. Seymour, therefore, was anxious to take that opportunity of denying upon affidavit those allegations. Mr. Seymour went on to declare in his affidavit that he had given his vote freely and conscientiously, and without any hope, suggestion, or offer of reward; and also that he came in for Southampton by a clear majority of Liberal votes. He therefore called upon the Court to grant this rule, in order that it might be ascertained upon what foundation this scandalous imputation against Mr. Seymour rested.

Lord CAMPBELL said, Mr. Seymour has now cleared himself; but I do not think that there is any sufficiently specific charge against him to justify the Court in granting a criminal information in the case.

Mr. Justice ERLE.—I am of the same opinion.

Rule refused accordingly.

The usual proclamation having been made, the Court adjourned at half-past four until Wednesday, the 2nd of November, the first day of Michaelmas Term.

## COURT OF COMMON PLEAS.

*Dawson v. Harris & Another.*—June 21.

The plaintiff was a conveyancing clerk, at a salary of £300 a-year, to the defendants, who are solicitors, carrying on a large business at Rugby, and he sought to recover damages for wrongful dismissal. The defence was, that the defendants were justified in dismissing him on account of his negligence, especially in having absented himself at the end of July last for three days without permission.

The jury found a verdict for the plaintiff—Damages 142*l.* 18*s.* 4*d.*

## COURT OF EXCHEQUER.

*Collins v. Brook.*—June 17.

This was an action brought by the plaintiff, a surgeon, against the defendant, an attorney in New Inn, to recover compensation in damages for an alleged libel contained in a letter written by the defendant and published in the *Law Times*, imputing to the plaintiff reckless swearing in an action tried in this court. The defendant pleaded not guilty, and also justification of the alleged libel.

It appeared that in the year 1857 the defendant was en-



played as attorney for the plaintiff to bring an action against a gentleman named Lefevre, to recover damages sustained by his child being bitten by a dog, and the result of that trial was a verdict for the plaintiff, who sued on behalf of the child, for £30 damages, the costs of the action, which were taxed, and paid by Mr. Lefevre, being no less than £155, which, in addition to the £30 damages, were received by the defendant; notwithstanding which he sent in a bill for extra costs, in which he made the plaintiff his debtor for £4 odd, in that and other matters between the plaintiff and the defendant. The plaintiff insisted that the defendant was not to charge any extra costs, whereas the defendant insisted nothing whatever was said about the matter. In the course of the trial, the defendant, who was examined in support of his plea, admitted his profits of the action were upwards of £80.

At the commencement of the case Mr. Huddleston, on the part of the plaintiff, offered if the defendant would withdraw his plea of justification and apologise, he would consent to a verdict being taken for the plaintiff, with 40s. damages.

The defendant, however, persisted in the case proceeding, but his own witness in support of the plea of justification entirely put him out of Court.

Mr. Atherton then offered to accept the original proposition.

Mr. Huddleston said, No; the plaintiff was willing at the outset, but the case having been gone into, he should go to the jury.

The LORD CHIEF BARON said, Mr. Atherton having lost the battle, he cannot expect to carry off the spoils of the victory.

The LORD CHIEF BARON summed up.

Mr. Huddleston having addressed a few words to the jury in aggravation of damages,

The jury retired, and after a short absence came into court, and returned a verdict for the plaintiff—damages £175.

The verdict was received with much surprise.

#### BAIL COURT.

*In Re Watson.*—June 16.

This gentleman declined to take the usual oaths to qualify him to practise as an attorney. He was not a Quaker or a Moravian. It is understood that this led to some difficulty but, upon reference to the Common Law Procedure Act, provision had been made for the affirmation of a witness under somewhat similar circumstances, therefore that form was adopted. The affirmation commenced in these words, "I, John Watson, do solemnly, sincerely, and truly affirm and declare that the taking of any oath is, according to my religious belief, unlawful, and I do also solemnly, sincerely, and truly affirm and declare, &c.," then proceeding with the usual affirmation.

Mr. Watson was then admitted.

#### INSOLVENT DEBTORS' COURT.

(Before Mr. Commissioner MURPHY.)

*In re John Wills.*—June 18.

This insolvent, a proctor, was heard and discharged some weeks since. Under the Divorce and Probate Act he had been awarded compensation exceeding £1,600 per annum.

One creditor, Mr. Lamert, had taken proceedings, and had threatened to sell the annuity by public auction—a course which would have been injurious alike to the insolvent and his creditors.

Mr. Dove to-day informed the court that, since an assignee had been appointed, the Court of Chancery had been moved, and had restrained Mr. Lamert from proceeding to sell the annuity.

#### CENTRAL CRIMINAL COURT.—June 15.

Francis Ingham surrendered to take his trial for misdemeanor, in having, after he had been duly adjudged a bankrupt, made certain false entries in a cash-book with intent to defraud his creditors.

This indictment was preferred by the direction of the Court of Bankruptcy, under the following circumstances:—It appeared that the defendant commenced the business of a grocer in June, 1857, and in November of the following year he filed a declaration of insolvency, and was thereupon adjudicated a bankrupt in due form, and his effects and books were taken into the custody of the official assignee. Among the latter was one which professed to contain entries of all moneys received and expended by the bankrupt during the period that he had been in business, and by which the accounts were made to appear to nearly balance. Upon this book being examined a suspicion

appeared to have at once entered the mind of the officials of the Bankruptcy Court that the entries were not genuine, as they all appeared to have been very recently made, and to have been written with the same ink. The defendant was pressed upon the subject, and after some hesitation he admitted that all the entries were fictitious, and said that he had purchased a second-hand account-book shortly before his bankruptcy, and that he had copied all the entries from the genuine cash-book, which he produced, but placed smaller amounts against every one of the entries than the sum actually received, the effect of this operation being to show that the defendant had received between £300 and £400 less than the amount that actually came into his possession, and to leave that amount unaccounted for under the control of the prisoner. He subsequently underwent the usual examination before Mr. Commissioner Goulburn, and he then admitted that the entries referred to were entirely fictitious, and expressed his deep regret for what he had done, and the Commissioner, upon these facts, felt it his duty to order the present prosecution to be instituted. The fraudulent cash book was of course never acted upon, so that no actual fraud was committed; and it also appeared that the prisoner gave up the whole of his effects to his creditors, and that he offered all the information in his power relating to his affairs to the official assignee.

In answer to questions that were put by Mr. Baron BRAMWELL, one of the officials of the Court of Bankruptcy said he could not discover that the effect of the prisoner's proceeding was to enable him to keep back any property from his creditors, and that the object rather appeared to be to conceal the fact that his household expenditure had been of an extravagant description.

Mr. Lawrence, at the close of the case for the prosecution, submitted that it was absolutely necessary, to support a charge of this description, that an intention to defraud the creditors should be established by the evidence.

The Court, after some discussion, ruled that the case must go to the jury, but if it should become necessary, the point would be reserved for further consideration.

Mr. Lawrence, consequently, addressed the jury for the defendant, and contended that all that had been established against him was, that he had foolishly made up the book in question in order to save himself the trouble of accounting for the money he had expended upon his household and personally, and that there was no evidence whatever of any intention on his part to defraud his creditors or any one else.

Several respectable witnesses were called, who gave the defendant an excellent character, and said that he was always considered an honourable and respectable tradesman.

Mr. Justice CROMPTON having summed up,

The jury, after some deliberation, said they were of opinion that the defendant had wilfully falsified his accounts, in order to deceive the Court of Bankruptcy.

The learned judge, upon this finding, directed a verdict of guilty to be recorded; but said he should reserve for the consideration of the Court of Appeal the question as to the intention to defraud. The falsifying of the accounts of a bankrupt was a very wicked act, and if it did not come within the scope of the present law, it would be necessary for the Legislature to make some alteration in it.

The defendant was allowed to go at large upon bail, until the point of law shall have been argued and disposed of.

#### THE INNS OF COURT RIFLE CORPS.

Yesterday afternoon the members of the four Inns of Court assembled at Lincoln's-inn-hall for the purpose of considering the propriety of establishing a corps of volunteer riflemen. About 300 gentlemen were present, among them being Vice-Chancellor Kindersley; Sir R. Bethell, M.P., Attorney-General; Sir Hugh McCalmont Cairns, M.P., the late Solicitor-General; Mr. C. J. Selwyn, M.P.; Mr. John Locke, M.P.; Mr. Digby Seymour, M.P.; Mr. G. M. Butt, Q.C.; Mr. Malins, M.P.; the Queen's Advocate; Mr. Montague Smith, M.P.; Mr. R. A. Cross, M.P.; Mr. Huddleston, Q.C.; Mr. Forsyth, Q.C.; the Hon. Adolphus Liddell, &c.

In the absence of the Lord Chancellor, who was expected to preside, Vice-Chancellor Kindersley was called to the chair.

The CHAIRMAN briefly explained the object of the meeting and called upon the Attorney-General to propose the first resolution.

The ATTORNEY-GENERAL said,—"I am quite sure that I express the general feeling of this numerous body of the bar and of the benchers when I mention the regret we must all feel at not having the distinguished head of our profession to preside over us

In regard to the meeting itself I hope it will not be considered that meetings of this nature, now so numerous throughout the country, have been convened with reference to any peculiar apprehensions that may be entertained of invasion from any foreign power. I should be exceedingly sorry if it were supposed that any movement could be made in England merely under the influence of fear or apprehension of invasion, and I do not think it would be expedient to give utterance to any such feelings, inasmuch as they might be regarded by foreign powers with whom we are in alliance as an affront and offence. Nor is there any reason why we should admit that what is now the general feeling of the propriety of this movement for the establishment of volunteer rifle corps has originated in anything like fear or apprehension. At the same time I think you will all admit that it is a matter of deep regret that an acquaintance with the use of arms has not been more generally made a part of the education of the English gentleman. Originally it was undoubtedly so, and until the introduction of gunpowder levelled all distinctions, we know that the youth of this country were brought up, particularly those of gentle blood, in familiarity with arms. But the improvements of modern science have introduced a peculiar weapon, the rifle, which is likely to be the most distinguished arm of modern times, and in reference to that arm you are all aware of the fact that it becomes necessary to have considerable experience in its use before it can be handled with safety. I think myself that the introduction of voluntary bodies of English gentlemen associated together for the purpose of learning the use of the rifle is quite in conformity with what all of us would like to see established as one of the habits of English gentlemen. In addition, it will afford to English gentlemen an opportunity when they return to their own homes of familiarising those around them in the habits, practice, and use of the rifle, so that they may be at all times ready, should any emergency arise, to come forward for the protection of the country. Upon us, as lawyers, it has always appeared to me that this duty is more particularly incumbent than upon almost any other class, because you are all aware that our law has established two things, one of which is a matter of obligation, and the other a matter of right. The matter of obligation is this—every one of us may be called upon at any time to act as part of the *posse comitatus* of the country in repelling invasion or putting down riots. There undoubtedly is a universal principle of law establishing the obligation of every person in the country, and more particularly those in a certain rank of society, to join with the established authorities as part of the *posse comitatus*. Indeed, it is part of the declaration embodied in the Bill of Rights that every Englishman has a right to have arms suitable to his condition for his defence. I repeat, therefore, that in forming these bodies with a view to bring about an ancient and laudable custom, namely, that of familiarising the people of this country with the use of arms, more particularly when the arms which are the distinguishing characteristic of modern military bodies are arms which the people are hardly likely to become familiarised with, except they possess the advantages which rank and wealth afford—in forming such bodies we are only following the example of former times, and an example which has just been set to us by the distinguished universities of Oxford and Cambridge. I will not detain you further, but I thought it right, in introducing the subject, to make a few general observations, merely for the purpose of deprecating the notion that we have been influenced by any particular political feelings, and much less by any fear or apprehension of invasion. Perhaps, before I conclude, you will permit me to state to you what has already been done by two of your societies which met the other day. A meeting has been held in the Middle Temple-hall, of the members of the Middle and Inner Temples, and certain resolutions were moved expressive of the expediency of forming a volunteer rifle corps. It was also resolved "that the members of the Inner and Middle Temples will heartily concur with the members of the other Inns of Court in the formation of other volunteer rifle corps;" and "that the further consideration of the matter be postponed until after a general meeting of the members of the four Inns of Court." I now beg to move the first resolution,—

That it is expedient that a rifle corps should be formed by the members of all the Inns of Court.

Mr. BARR, Q.C., seconded the resolution, which was carried almost unanimously, only two hands having been held up against it.

The ATTORNEY-GENERAL then moved that a committee be appointed for the purpose of devising measures to be adopted for the formation of the Inns of Court Rifle Corps.

Mr. WILCOCK seconded the resolution, which was carried by acclamation.

Mr. DIGBY SEYMOUR inquired whether members of Doctors' Commons should not be included in the resolution, and after some conversation it was unanimously resolved that the members of Serjeants-inn and Doctors' Commons should be invited to co-operate with the members of the four Inns of Court in forming a general rifle corps, consisting of the bench and the bar.

The ATTORNEY-GENERAL then submitted the following names as a general committee. He thought it desirable that the committee should not be too large, but at the same time that it should fully represent the different Inns of Court, including the two societies, which by some singular inadvertence had been omitted on the present occasion. He should propose that there should be two representatives for each inn, and that they should be for

Lincoln's-inn.—Sir Hugh Cairns and Mr. Selwyn.

Inner Temple.—The Queen's Advocate and Mr. Kenneth Macaulay.

Middle Temple.—Mr. Rodwell and Mr. Green.

Gray's-inn.—Mr. Huddleston and Mr. Lush.

Serjeants-inn.—Mr. Serjeant Wrangham and Mr. Serjeant Piggott.

Mr. DIGBY SEYMOUR then suggested whether the committee should not have power to add to their number, inasmuch as it was probable that many of the outer bar and juniors would take a very active part in the corps.

The ATTORNEY-GENERAL thought that the object of the hon. and learned gentleman would be effected if they added to the resolution the words "with power to add six additional members to the committee, to be taken from the outer bar."

The resolution in the amended form was then agreed to.

The ATTORNEY-GENERAL then moved that Mr. Kenyon Parker, a gentleman who was an honour to the station he filled, and who fought in the plains of Lombardy in 1848, should be appointed secretary to the committee, which was seconded by Mr. FORSYTH, and carried by acclamation.

Sir HUGH CAIRNS then moved a resolution to the effect that gentlemen wishing to join the corps be requested to send in their names to the committee, and also that the members of the Inns of Court who did not intend to join, but were willing to contribute to the incidental expenses, should send their names also. He hoped that the Inns of Court themselves would find that it was within their power, as he was sure it was within their inclination, to contribute towards the expenses necessary to the inauguration of such a corps.

On the motion of Mr. MONTAGUE SMITH, a vote of thanks was given to the Chairman, and the proceedings terminated.

#### CONVOCATION ON THE DIVORCE ACT.

In the Lower House of Convocation, on Wednesday last, a very long discussion took place on the subject of the new Divorce Act, and ultimately an *articles cleri* was passed in the following form:—

That the Act to amend the law relating to divorce and testamentary clauses in England passed in the year 1857 has materially changed the law of marriage, and is felt to press hardly upon the clergy, and therefore ought to be amended. That this House, fully recognizing the supreme importance of the Imperial Parliament to legislate for the estates of men within the realm, is of opinion that when changes of the law are proposed which would affect the articles or canons of the Church, or the duties required of the clergy, it is desirable that the advice of the clergy in Convocation should be sought before the enactment of such changes. The House therefore prays their Lordships of the Upper House to use their best endeavours in Parliament to procure the amendment of the said Act.

The Queen has been pleased to appoint the Right Honourable Thomas Emerson Headlam, Q.C., to be Judge Advocate-General, James Moncreiff, Esq., Lord Advocate of Scotland, and the Right Honourable Sir George Grey, Bart., Chancellor of the Duchy of Lancaster.

It is stated that Mr. Boden, recorder of Stamford, has been appointed recorder of Derby, in the place of Mr. W. H. Adams; and that Mr. Maunsell, of the Midland Circuit, will succeed Mr. Boden as recorder of Stamford.

**SWEARING IN OF THE LORD CHANCELLOR AND THE LORD CHIEF JUSTICES.**—Yesterday morning the Right Hon. Lord Campbell was sworn in at Lincoln's-inn before the Master of the Rolls and Vice-Chancellor, as Lord Chancellor of England, in the room of Lord Chelmsford, and duly subscribed the roll accordingly with the usual formalities. The Lord Chancellor, assisted by the Lords Justices Knight Bruce and Turner, then proceeded to hear causes. Sir Alexander Cockburn, the late Lord Chief Justice of the Common Pleas, was



also sworn in before the Lord Chancellor as Lord Chief Justice of England, in the room of Lord Campbell. After the Lord Chancellor had been sworn in, the Right Hon. Sir W. Erle, one of the judges of the Queen's Bench, was sworn in before the Lord Chancellor at Lincoln's-inn, as Lord Chief Justice of the Common Pleas, in the room of Sir Alexander Cockburn, removed to the Lord Chief Justiceship of the Queen's Bench, vacant by the elevation of Lord Campbell to the woolsack.

**SHERIFFS FOR LONDON AND MIDDLESEX.**—Mr. Alderman Phillips and Mr. Alderman Gabriel were yesterday elected Sheriffs of London. Mr. O. C. T. Eagleton, solicitor, of 84, Newgate-street, has been appointed Under-Sheriff to Mr. Alderman Phillips; and Mr. Charles Gammon, solicitor, of the firm of Lepard and Gammon, of Cloak-lane, Under-Sheriff to Mr. Alderman Gabriel.

## Notes on Recent Decisions in Chancery.

(By MARTIN WARE, Esq., Barrister-at-Law.)

### BUILDING LEASE—COVENANT—REPRESENTATION.

*Piggott v. Stratton*, 7 W. R., V. C. W., 496.

This case is important to those engaged in building transactions, being an instance of the interference of the Court of Chancery to restrain the lessee of a building lease from escaping from the obligation of one of his covenants to the prejudice of his underlessee. The defendant, who was a builder, took a lease for 999 years of some land in the Isle of Wight commanding a view of the sea. The lease contained a covenant that he would build no houses without leaving a space of thirty feet between each house. He made an underlease of one of the houses to the plaintiff, covenanting in the underlease that he would observe the covenants in the original lease, and indemnify the underlessee against the breach of them. At the time of completing this transaction, he informed the plaintiff that he was precluded by his original lease from shutting out the plaintiff's view of the sea by the covenant in his lease which obliged him to leave a space of thirty feet between each house. However, the defendant directly afterwards surrendered his lease to the landowner, and took a fresh lease without the restriction in question; and having done so, he proceeded to erect or sanction the erection of a row of houses, without any space between them, between the plaintiff's house and the sea. The plaintiff, accordingly, filed a bill to restrain the defendant from building these houses. With respect to the legal point, namely, whether this conduct was a breach of the covenant in the plaintiff's underlease, by which the defendant bound himself to observe all the covenants in the original lease, the Vice-Chancellor held that it was not so; for the defendant was only bound to keep the covenants in the lease as long as the lease existed, and when the lease fell to the ground, the covenant in the underlease fell with it. But the Vice-Chancellor granted relief on the ground of fraud; for his Honour considered it clear that, having represented himself to be bound by the lease, he was not at liberty to determine it by his own act. If a man stands by, and sees persons laying out their money on the faith of his representations, the Court of Chancery has always held, that he is bound to make good his representations; and his Honour thought the case was stronger, where a man showed the persons contracting with him the actual lease, prohibiting him from the acts in question. He, therefore, granted the injunction prayed.

### PROBATE—EXECUTION OF POWER—JURISDICTION.

*De Chatelein v. De Pontigny*, 7 W. R. 497 (Court of Probate.)

This case carries out the doctrine laid down in *Barnes v. Fienes* (5 Moore, P. C. 201), namely, that where a testamentary instrument is propounded for probate, on the ground of its being an execution of a power, the Court of Probate will not examine whether it is really a good execution of the power or not, but will admit it to probate, and leave the courts of law and equity to decide whether it can have any operation.

In the present case, the testamentary instrument was made in 1832, by a married woman, who had a power under her marriage settlement to dispose of certain real and personal property by her will, attested by three credible witnesses. The testamentary paper was not attested at all, but was simply signed by her. It purported to be her last will, and to dispose of the whole of her property, but made no allusion to the power contained in her settlement, or to any other power. Her husband was alive at the date of the will, but predeceased her.

Under these circumstances, the will was propounded for probate, with an allegation that it was made in pursuance of a power. Sir C. Cresswell decided that this allegation was conclusive; that the Court of Probate has no authority to inquire whether the power was duly executed or not; and that this doctrine is equally applicable, whether the supposed imperfection in the appointment consists in the want of witnesses, or in the want of any of the other formalities required by the power. The case is certainly a strong one, and seems to settle the law beyond question.

### WITNESS—REFUSAL TO CRIMINATE HIMSELF—ILLEGAL COMPANY.

*Re Mexican and South American Company—Aston's Case*, 7 W. R., L. J., 539.

The rule has been more than once laid down, particularly in a case before the Court of Common Pleas (*Fisher v. Ronalds*, 12 C. B. 763), that where a witness objects to answer a question, on the ground of its tending to criminate himself, the witness, not the judge, must determine whether the answer will have that tendency. The witness may know that the admission of a particular fact completes a chain of evidence which might lead to his conviction, whereas the judge, having no knowledge of the circumstances, may consider the question perfectly innocent. The effect, however, of the present decision is, that the rule must be taken with this qualification, namely, that if the witness states his reason for thinking that the answer will criminate him, the judge must decide upon the validity of his reason, and if it is futile, the witness will be obliged to answer. The facts were these:—A company, established before the passing of the Joint Stock Companies Act, on the principle of the shares being transferable by delivery, was being wound up under the Winding-up Act. The witness, who was a sharebroker, was examined by the official manager, as to the amount of shares which had passed through his hands. The witness entertained an idea that the company was an illegal one, inasmuch as it purported to have corporate powers, although not chartered, and to secure benefits and immunities to the shareholders which a company had no power to give, before the passing of the Joint Stock Companies Act, and for other reasons alleged by the witness. When, therefore, he was asked whether he had ever bought shares or scrip in the company, he answered that he had never bought any for himself, but he declined to answer whether he had done so for other persons, on the ground that "he was advised" the company was illegal, and that he might be liable for penalties for dealing with the scrip. The Lords Justices, affirming the opinion of the Master of the Rolls, decided that there was no proof that the company was illegal, and that as the witness had given an insufficient reason for not answering the question, he was bound to answer it. *Knight Bruce*, L. J., in giving judgment, observed that the witness "being advised" that the company was illegal was nothing; if he had proved it to be so he might have advanced a step. The case of *Fisher v. Ronalds* applied to a case where the witness had given no reason; but here the witness had given as his only reason that which, in fact, was no reason at all.

### PRACTICE—SUPPLEMENTAL ORDER—DIVORCE ACT.

*Rudge v. Weedon*, 7 W. R., L. J., 519.

A point of practice in this case may be noted with respect to the construction of the 52nd sect. of the Chancery Improvement Act, which substitutes a supplemental order for a supplemental bill and decree under the old practice. The point occurred under peculiar circumstances. A married woman had obtained an order for protection from a police magistrate under the Divorce Act, on the allegation that she had been deserted by her husband. While this order was in force she was made defendant in a Chancery suit as a femme sole. Afterwards, her husband obtained a reversal of the order for protection on the ground that the allegation that he had deserted her was false. The plaintiff then made the husband a party by supplemental order. The defendants objected that the protection order having been declared void ab initio, there had been no change or transmission of interest within the section since the institution of the suit, and that a supplemental bill was necessary.

*Kindersley*, V. C., took this view, but his decision was reversed by the Lords Justices, who were of opinion that as the order of protection was in force at the time when the woman was made a defendant, there had been a "change of interest" subsequently, and that a common supplemental order was regular (See Morgan's "Chancery Acts," 180.)



## Notes on Recent Cases at Common Law.

(By JAMES STEPHEN, Esq., Barrister-at-Law, Editor of "Lush's Common Law Practice," &amp;c., &amp;c.)

## DEFINITION OF ASSAULT—JUSTIFICATION.

*Concord v. Baddeley*, 7 W. R., Exch., 466.

This case is an example of the extreme difficulty there is in framing legal definitions of offences. Several attempts are made in the books to define an "assault." It is said to be an attempt or offer with force and violence to do a corporal hurt to another (Russ. on "Crimes," p. 750); but any particularity beyond this can only be attained by having recourse to particular instances of conduct or acts, amounting or not amounting to this offence in the eye of the law. Thus it has been settled that no mere words, however provoking, amount to an assault, though it is otherwise if the words be accompanied with menace of actual violence—there being at the time the means of carrying the threat into effect. So it has been held that the act complained of must not have been with the consent of the party, provided there be no fraud. The maxim, however, on which the present case was mainly decided, is to the effect that, whether the act be an assault or not, must in every case be collected from the intention. For example, where one engaged in a lawful occupation injures another accidentally, no assault is thereby committed, though an action may be maintainable at the suit of the party injured, if the accident was the result of the other's negligence. In the present case, where it appeared that A. passing by at a fire, laid his hand upon the shoulder of B. (who was the director of a fire brigade), and the jury found that A.'s object in doing so was merely to call B.'s attention to some advice A. was about to offer, this was held by the Court in banc not to amount to an assault on B., so as to justify him in giving the plaintiff into custody.

## PLEADING—AIDER BY VERDICT.

*Garton v. The Great Western Railway Company*, 7 W. R., Exch. C., 478.

This action was originally commenced in the county court, but removed by certiorari into the Queen's Bench; in which court the record, on which judgment for the plaintiff was ultimately given, stated as an answer to the action (which was for money had and received) that a month's notice of action had not been given to the defendants before levying the plaint, as they alleged to be required by their special Act (5 & 6 Will. 4, c. 107, s. 223). The plea, however, did not proceed to aver that the alleged cause of action was done in pursuance of such private Act; and this defect the Court of Error held to be one of substance, and not of form; and to make not only the plea itself bad, but also to invalidate the judgment given on it: which they accordingly reversed, and gave in favour of the plaintiff.

It is to be remarked that it was here urged that the plea, even if originally vicious, was cured by the verdict in virtue of that rule of pleading which is to the effect that "faults in pleading which would have been good ground for demurrer are in some cases aided by a verdict," the intent and principle of which rule are thoroughly explained in the well-known case of *Jackson v. Pecked*, 1 M. & S. 234, and in 1 Saund. 228, n. [1]. The extent to which the rule is applicable may be shortly stated as follows—viz. that such fault is aided by the verdict, provided the issue joined was such as necessarily to require, on the trial, proof of the facts which were defectively stated or omitted, and without which it cannot be presumed that either the judge would direct the jury to give, or the jury would have given, the verdict which in fact passed. Hence it is only where there is a "fair and reasonable" ground for comprehending the matter omitted to be expressly stated in the pleading, that the doctrine of "aider by verdict" applies, and it was on this ground that the defect in the plea was held by the Court to be incurable. They said it was admitted that to make the plea good, an averment that the act complained of had been done in pursuance of their special Act, must be implied from the terms of the plea; and that there was nothing in the terms used to justify such an implication.

## PERFORMANCE OF CONTRACT BECOME IMPOSSIBLE, LAW AS TO.

*Brown v. The Royal Insurance Society*, 7 W. R., Q. B., 479.

An important principle has been affirmed by the majority of the Queen's Bench in this case (and also in *Hall v. Wright*, (27 L. J., Q. B., 345, 355, now before the Exchequer Chamber),

viz. that if a party contracts to do that which is at the time possible and lawful, it is no defence to an action for damages (however it may affect their amount), to say that it has since become impossible to perform the undertaking. The defendants in the present case had agreed in case of fire to rebuild certain premises; and to an action against them for breach of this covenant, it was held (*Erle, J., diss.*) to be no answer that unburnt parts of the premises in question had been taken down by the authority of the Commissioners of Sewers, as dangerous, for causes not connected with the fire—whereby the defendants were prevented from rebuilding them.

The above principle much resembles that according to which a man who covenants to pay rent for a certain period is held liable, though during that period the premises have been destroyed by the act of God (see "Chitty on Contracts," by Russell, p. 634). So also it has been held that one who covenants to send a cargo to a foreign port, but who is unable to do so in consequence of intercourse with such port becoming forbidden by law, may nevertheless be sued on his undertaking (*Barker v. Hodgson*, 3 Maul. & S. 267). The law on this head, however, can scarcely be said to be in a settled state. It was much discussed in the case of *Hall v. Wright*, above mentioned, which was a declaration for a breach of promise to marry; and which was attempted to be answered by a plea, setting forth that the defendant could not perform his promise without danger to his life. As to the validity of this defence, the Queen's Bench were equally divided in opinion—Lord Campbell, and Crompton, J., holding that it was insufficient, and *Erle* and *Wightman, JJ.*, being of the opposite opinion. In the present case the three judges first above named have decided in accordance with their already pronounced opinions, and to this side the successor of *Wightman, J.* (Mr. Justice Hill) adhered; though it would seem by the report he did not take exactly the same ground as the rest of the bench.

## Parliament and Legislation.

## HOUSE OF COMMONS.

Friday, June 17.

## STATUTE LAW CONSOLIDATION.

Mr. WHITESIDE gave notice that on the 30th of June he would move for leave to bring in a series of Bills consolidating the statute law of England and Ireland.

## CIVIL ESTABLISHMENTS AND JUDICIAL OATHS (INDIA).

Mr. KINNAIRD asked the Secretary of State for India whether he had not received a report on civil establishments and salaries throughout India, by Mr. Henry Ricketts, and what steps it was proposed to take in accordance with the recommendations thereof; also whether anything was being done in the way of legislation in regard to judicial oaths in India, and whether the subject had been under the notice of the Council.

Lord STANLEY said, the report alluded to had been received in this country, but unaccompanied by any expression of the views of the Indian Government with regard to it. The report had been taken into consideration here, and the Government had written to India to request the Government there to express their opinion as to whether its recommendations ought to be adopted. With regard to the second question, a Bill on the subject of judicial oaths was before the Legislative Council in India, but he was not aware at present how far it had proceeded.

## CRIMINAL JUSTICE, MIDDLESEX (ASSISTANT JUDGE), BILL.

Mr. S. ESTCOURT moved the second reading of this Bill.

Mr. WILLIAMS objected to the increase of the salary of the assistant-judge proposed to be effected by the measure.

Mr. HARDY explained that the abandonment of his private practice by the assistant-judge would be a sufficient equivalent for the proposed increase of salary.

The debate was adjourned for a fortnight.

Wednesday, June 23.

## COURT OF CHANCERY (IRELAND).

Mr. McMAHON obtained leave to bring in a Bill to repeal and amend certain laws and statutes relating to the admission of barristers and attorneys to practise in Ireland.

## APPEAL IN CRIMINAL CASES.

Mr. McMAHON obtained leave to bring in a Bill to secure a right of appeal in criminal cases.

## NOTICES OF MOTION.

Mr. HADFIELD, for leave to bring in a Bill to enable serjeants, barristers, attorneys, and solicitors, to practise in the High Court of Admiralty. (July 5.)

Mr. ATHERTON, for leave to bring in a Bill to amend the law relating to the conveyance of lands for charitable uses. (June 28.)

Mr. DUNLOP, for leave to bring in a Bill to afford facilities for the more certain ascertainment of the law administered in one part of her Majesty's dominions when pleaded in the courts of another part thereof. (June 30.)

Mr. WHITESIDE, for leave to bring in a Bill to consolidate and amend the criminal law of England and Ireland. (June 30.)

Mr. BRADY, that he would ask the First Lord of the Treasury whether it was the intention of the Government to bring in a Bill on the subject of tenant-right in Ireland. (June 30.)

Mr. E. JAMES, that he would ask the First Lord of the Treasury whether it was the intention of the Government to introduce a Bill to amend the representation of the people in Parliament during the present session. (July 4.)

Mr. COLLIER, for leave to bring in a Bill limiting the power of imprisonment for small debts exercised by county courts judges. (July 5.)

Mr. SOULEY, to ask the Attorney-General for Ireland when he will introduce a Tenants' Compensation Bill, and to state the general nature of such measure. (July 5.)

## ELECTION PETITIONS.

The following is a list of the names of the boroughs and counties with the names of the petitioners annexed:—

BODMIN.—Petitioners, Dr. John Button and Mr. J. Barnicot.

BERWICK-ON-TWEED.—Petitioners, Mr. Thomas Bogue and Mr. William Smith.

WAKEFIELD.—Petitioners, Mr. J. Robinson, Mr. J. R. Green, Mr. J. Tuting Sweeting, and W. A. Day.

AYLESBURY.—Petitioners, Mr. Thomas Frederick Charles Wentworth Vernon, Mr. E. D. Fraime and Mr. W. Hotley and others.

ASHBURN.—Petitioners, Mr. Brooking Sodeley and Mr. T. Farrant.

GREAT YARMOUTH.—Petitioners, Mr. J. Clowes and Mr. A. T. Danby Palmer and others.

Huddersfield.—Petitioners, Mr. J. P. Crossland and Mr. J. Haigh.

PONTEFRAC.—Petitioner, Mr. Hugh C. E. Childers.

GLOUCESTER (CITY).—Petitioners, Mr. T. Eyecott and Mr. J. Haines.

ATHLONE.—Petitioners, Mr. J. W. Falr, Mr. R. Preston, and Mr. W. Wallace and others.

DARFMOU.—Petitioner, Sir Thomas Herbert.

PRESTON.—Petitioners, Mr. J. Carr, Mr. W. Bailey, Mr. J. Swarbrick, Mr. J. Worthington, and Mr. W. Millet and others.

NORWICH.—Petitioners, Mr. J. Wright, Mr. G. W. Minns and others.

MAIDSTONE.—Petitioners, Mr. W. Russell and Mr. J. P. Sawyer.

BEVERLEY.—Petitioners, Mr. W. D. T. Duesbury and Mr. Ch. Reynard and others.

CLARE (COUNTY).—Petitioners, Mr. N. Butler and Mr. J. B. Macnamara.

WYTHMOUTH.—Petitioners, Mr. J. Slade, Mr. R. Cotterell, and Mr. H. W. Harris.

HARWICH.—Petitioner, Hon. Colonel Rawley.

LEICESTER (COUNTY, NORTHERN DIVISION).—Petitioner, Rev. Wm. Astley Cave Brown Cave.

DERBY.—Petitioners, Mr. J. Parks and Mr. T. Horrocks.

LINCOLN.—Petitioner, Mr. Jas. Spaight.

NEW WINDSOR.—Petitioners, Mr. W. H. Banks and Mr. R. Thompson.

KIDDERMINSTER.—Petitioners, Mr. J. Avers, Mr. J. Fawke, Mr. J. Wadey, and Mr. Samuel Toveley.

ROSCOMMON (COUNTY).—Petitioners, Mr. Denis O'Connor and Mr. Patrick Graham.

SANDWICH.—Petitioners, Mr. J. Ralph and Mr. H. Langley.  
CHELTENHAM.—Petitioners, Mr. J. Knatchbull and Mr. J. H. Morgan.

BRIDGEWATER.—Petitioners, Mr. H. C. Heard and Mr. R. Bond.

LYME REGIS.—Petitioners, Mr. J. G. S. M. Moore and Mr. G. N. Shorne.

KINGSTON-UPON-HULL.—Petitioners, Mr. W. Jones and Mr. R. Mitchell; and Mr. J. Breton and Mr. B. Scott.

NEWBY.—Petitioners, Mr. R. Dempster and Mr. T. Cardwall.

FROME.—Petitioner, Mr. D. Nicoll.

KING'S COUNTY.—Petitioners, Mr. D. Hume and Mr. J. F. Cassidy.

WYTHMOUTH AND MELCOMBE REGIS.—Petitioners, Mr. R. J. R. Campbell and Colonel W. L. Freeston.

NEW WINDSOR.—Petitioners, Mr. W. H. Banks and Mr. H. Thompson.

CHATHAM.—Petitioners, Mr. G. Winstead and Mr. G. Pattison.

PETERBOROUGH.—Petitioners, Mr. T. Sooley and Mr. H. Freeman; and Mr. W. Vergese and others.

CARLISLE.—Petitioners, Mr. J. P. Arthur and J. Graham.

DUNDALE.—Petitioners, Mr. P. Dowdall and Mr. M. M. Graham.

MERIONETH COUNTY.—Petitioners, Mr. O. Richards and Mr. H. R. Pugh.

DOVER.—Petitioner, Sir William Russell, Bart.

CARLOW.—Petitioners, Mr. Cary and Mr. Carroll.

KENT (Western Division).—Petitioners, Mr. C. W. Martin and Mr. J. Whatman.

BARNSTABLE.—Petitioner, Sir W. A. Fraser, Bart.

From the above list, which has been given in the order in which the petitions have been presented, there are five against Aylesbury, three against Athlone, three against Beverley, and two against Preston, and two of the petitions against Aylesbury proceed from the same petitioner.—Of the places petitioned against it may be curious to know that no less than 14 of them were petitioned against in the last Parliament—viz. Bodmin, Berwick-on-Tweed, Wakefield, Great Yarmouth, Huddersfield, Pontefract, Gloucester, Athlone, Norwich, Maidstone, Beverley, Weymouth, Bury, and New Windsor.

THE ASSISTANT-JUDGE OF THE MIDDLESEX COURT OF SESSIONS.—A Bill of Mr. ex-Secretary Sotherton Esq., M.P., and the ex-Attorney-General, fixes the yearly salary of the Assistant Judge of Criminal Justice in Middlesex at £1,300 a-year, from the decease of Mr. Pashley, and precludes the Acting Judge from practising at the bar. Mr. Bodkin, therefore, will be compelled to resign the emoluments attached to his late profession of advocate.

JUDGES IN INDIA.—The following is a list of the names, appointments, and monthly salaries of all judicial officers, &c., in the East Indies, according to a return to the House of Commons—viz. in Bengal, Sir B. Peacock, Knt., Chief Justice, 6,945 rupees; Sir C. Jackson, Knt., Puisne Judge, appointed Puisne Judge in Bombay in October, 1832, 5,209r.; Sir M. Wells, Knt., Puisne Judge, 5,209r.; Mr. Wm. Ritchie, Advocate-General, 3,448r.; Mr. T. H. Cowie, Standing Counsel, 1,333r.; Mr. F. C. Sanden, 2,000r.; Mr. W. Macpherson, Master in Equity, Registrar and Accountant-General, 3,000r.; Mr. Henry Holroyd, Prothonotary, Clerk of the Papers, Clerk of the Crown, 3,000r.; Mr. C. S. Hogg, Administrator-General, paid by fees; Mr. Robt. O'Dowda, Sworn Clerk, 1,200r.; Mr. H. Smoult, Taxing Officer and Record Keeper, 1,600r. At Fort St. George.—Sir H. Davison, Knt., Chief Justice; appointed Chief Justice in Bombay in February, 1858, 5,000r.; Sir A. Bittleston, Knt., Puisne Judge, 4,160r.; Mr. T. S. Smith, Advocate-General, 2,157r.; Mr. J. R. Boysen, Solicitor-General, 1,175r.; Mr. C. M. Teed, Master in Equity, 525r.; ditto, Administrator-General, 700r.; Mr. T. B. Norton, Clerk of the Crown, 525r.; Mr. F. Orme, Deputy Clerk of the Crown and Examiner, 175r. In Bombay.—Sir M. A. Sausse, Knt., Chief Justice, appointed Puisne Judge in 1855, 5,000r.; Sir M. Arnould, Knt., Puisne Judge, 4,160r.; Mr. A. J. Lewis, Advocate-General, 1,600r.; Mr. T. P. Bickerseth, Company's Solicitor, 1,200r.; Mr. T. L. Jenkins, Master in Equity, 525r.; ditto, Examiner of Insolvent Debtors Court, 152r.; Mr. C. M. T. Pollock, Clerk of the Crown, 525r.; Mr. W. Brookfield, Deputy Clerk of the Crown, 175r.; Mr. T. H. Standen, Administrator-General, 550r. All these belong to the English bar, with the exception of Sir M. R. Sausse, who belongs to the Irish bar.

## Communications, Correspondence, and Extracts.

### THE COURT OF APPEAL IN CHANCERY.

To the Right Hon. LORD CAMPBELL, Lord High Chancellor.

MY LORD.—Your elevation to the highest dignity in the profession of the law would be hailed with satisfaction by our branch of the profession at least, if your Lordship would aim to make the Court of Appeal in Chancery the efficient court contemplated when the bill was passed for appointing two Lords Justices.

It is clear, from what fell from Lord John Russell on the 13th June, 1851, on his moving for leave to bring in the bill, that, whilst it was fully intended that the Court of Appeal in Chancery should be constantly sitting for the despatch of its proper business, it was equally intended that appeals in general should be to the full Court, that is, to the Lord Chancellor and two Lords Justices sitting together, except only when the Lord Chancellor was engaged in hearing appeals in the House of Lords, or was elsewhere engaged on Government business; and on the other hand, that the Lord Chancellor should only sit alone when the two Lords Justices were sitting on appeals in the Privy Council. This intention was ignored by Lord St. Leonards, who never heartily engaged in the Chancery reforms of 1851-52.

It is, however, much to be regretted, for it has prevented the Chancery Appeal Court from being made the true equity court of error, and so satisfying litigants without going to the House of Lords.

One consequence of the Lord Chancellor and the Lords Justices sitting in separate courts is, to increase the difficulty of the attendance of counsel, which is quite unnecessary. He must be a bold man who would say that there is any branch of English law that your Lordship is not acquainted with; but as your Lordship has not been familiar, at all events of late years, with the practice and technical details of Chancery business, any diffidence or self-distrust which might naturally be felt by your Lordship would be instantly dispelled by your Lordship sitting with two experienced colleagues, like the present Lords Justices, and they cannot but be benefited by your Lordship's vast experience and knowledge of law when mere equity technicalities do not come in question.

From your Lordship's courage, industry, and perseverance, everything good attainable is to be hoped for; and nothing is more to be desiderated than what I have contended for in this letter—the constitution of a good and efficient court of appeal in equity, based upon *system and method*; and this can be only worked out by your Lordship—I have the honour to be your Lordship's obedient, humble servant,

AN ATTORNEY.

June 20, 1859.

### REPORT OF THE SPECIAL COMMITTEE OF THE LAW AMENDMENT SOCIETY ON IMPRISONMENT BY COUNTY COURT JUDGES.

The society having, at the last meeting, referred to your committee the expediency of continuing the powers of imprisonment for small debts, at present possessed by the county courts, with a direction to report thereon at an early period, the committee have carefully considered the subject as far as the shortness of time would permit, and they now submit their report to the society.

The committee have found, by a recent Parliamentary return, that, in the year 1858, more than 11,000 persons were committed to prison, for various periods, by the county court judges, upon summonses after judgment, ss. 98 & 99 of the Small Debts or County Court Act of 1846, and that a very large portion of such commitments were in respect of debts, or damages, or costs, not exceeding 40s., in many cases only amounting to a few shillings, and in some under half-a-crown. The committee have also found, from information brought before them, that in many cases persons have been committed to prison several times for non-payment of the same debt. Indeed, as the law now stands, there is no limit to the number of times a debtor may be committed to prison in respect of the same debt, however trifling, the Act expressly providing (s. 93) that no imprisonment shall protect the defendant from being again summoned and imprisoned for any new fraud or other default rendering him liable to be imprisoned under the Act.

By s. 98, a summons may issue against any person against whom an unsatisfied judgment or order has been obtained, to

be personally served on such debtor, requiring him to appear and be examined upon oath touching his estate and effects, and the manner and circumstances under which he contracted the debt, and as to the means and expectations he then had of being able to pay, and as to the property and means he still has of discharging the debt, and as to the disposal he may have made of any property. And by s. 99, power is given to the judge of the county court to commit the party summoned to the common gaol or house of correction of the county in any of the following cases:—(1) if he shall not attend as required by the summons, and shall not allege a sufficient excuse for not attending—(2) or on his refusing to be sworn—(3) or on his refusing to disclose any of the things aforesaid, or not making any answer touching the same to the satisfaction of the judge—(4) or if it shall appear to the judge, either by examination of the party or by other evidence, that such party, if defendant, in incurring the debt, has obtained credit under false pretences, or by means of fraud or breach of trust—(5) or has wilfully contracted such debt without having had at the time a reasonable expectation of being able to pay the same—(6) or shall have made any gift or transfer of property, or removed or concealed the same with intent to defraud his creditors—(7) or if it shall appear to the judge that the party summoned has then, or has since judgment obtained against him, had sufficient means and ability to pay the debt, either altogether or by instalments, which the Court may have directed, and if he shall refuse or neglect to pay the same.

By the returns above referred to, it appears that, of the 11,501 actually committed to prison, 8,361 were so committed simply for non-attendance in obedience to the summons; and from all the committee have learned of the course of proceedings, when orders are made for the commitment of parties on non-attendance, it would seem that no investigation takes place as to the conduct of the debtor in regard to contracting the debt, his dealings with his goods, or his ability to pay; but that the order for commitment is immediately made upon proof of personal service of the summons, and the bare fact of the party's non-attendance.

Great complaints have been made in various quarters of the consequences resulting from the commitment of such large numbers of persons for very small amounts to the gaols of the different counties, in some of which they are treated as misdemeanants. The counties have, in most cases, to provide for the maintenance of the debtors whilst in prison, and in many cases the parishes have to support their wives and families.

It also appears that, in a great majority of these cases, the imprisonment has no effect whatever in procuring payment of the debts in respect of which it takes place, and that large numbers of poor persons are imprisoned for very small debts, which they are wholly unable to pay, and are, by the imprisonment, rendered incapable even of exerting themselves to obtain by their labour the means of paying or of gaining their own living.

Taking all these circumstances into consideration, and bearing in mind that imprisonment for debt, when useless for the purpose of obtaining payment, and not inflicted as a punishment for fraud, is a public evil and injury, the committee have come to the conclusion that the existing law should be altered.

1. By putting an end to imprisonment for, or in respect of, any debt recovered in any county court when the amount recovered by the judgment, or the sum remaining due thereon, does not exceed 40s., exclusive of costs.

2. By putting an end to all cases of imprisonment merely on account of the debtor's non-attendance upon any judgment summons, but providing that in all such cases of non-attendance the judge may either adjourn the summons to a future day, or proceed upon it in the absence of the debtor, so that the judge may be satisfied that, on one or more of the grounds stated in s. 99, the debtor may be committed.

3. By providing that no debtor shall be imprisoned more than once in respect of the same debt.

The committee have also directed their attention to the 43rd section of the 19th & 20th Vict. c. 108, which empowers the judge of the county court to summon a debtor residing out of his district in the circumstances mentioned in s. 98 of the original County Court Act. It appears that, under this provision, persons have been summoned to attend from great distances, sometimes 100 miles or more, and have then been committed for non-attendance, when it was, in truth, impossible for them to attend by reason of their poverty. The committee think that the changes they have already proposed would, to some degree, remedy this evil, although great care and caution would still be required on the part of the county court judges in issuing judgment summonses where the debtor resides out of the district at any considerable distance.



## BANKRUPTCY LAW REFORM.

The following letter has been addressed by Mr. Stevenson, solicitor, to Mr. Baker, the official assignee at Newcastle, in answer to a communication addressed by that gentleman to a local paper, and which we print below:—

Darlington, 10th June, 1859.

DEAR SIR,—I thank you for the copy of your letter to the editor of *The Northern Daily Express*, of 26th ult., which I have received by this morning's post. I am so old a practitioner that I can well remember the working of commissions by country commissioners, under the care of the assignees and solicitor, and feel proud in being able to say that, in by much the majority of cases, the exceptions being but sufficient to prove the general rule, the estates were better, cheaper, and more speedily divided in the country, under that, than under the new system.

If that mode could be restored, aided by an official assignee, I am of opinion that the exceptions to which I have referred would be avoided, and then the working of country flats would be most satisfactory; then the country commissioners would sit, as formerly, where the bankrupt dwelt, and where all his acts are known; the assignees would be under the immediate view of the creditors—in the full blaze of country jealousy (an exquisite sentinel). The solicitor would have the satisfaction of knowing that his conduct of the affairs was appreciated, and the benefits which arise from being drawn into daily communication with inquiring creditors, and the extra expenses of chief registrar's fees, broker, auctioneer, and accountants, messenger and incidentals, would be avoided; as would also the travelling expenses now incurred for attendances in court. I cannot close this without thanking you for your candid statement of a fact, which in itself is most disgraceful. I mean, that "the court fees and official assignees' charges being equivalent to the diminished amount of the solicitor's charges, under the new system." Thus is admitted one flagrant instance of robbery, committed upon a body of men educated at a great expense, set apart for particular duties—admitted to them by order of Court—bidden to retire from them save under another order of Court—looked up to by their contemporaries as peculiarly fitted for, and honourably, most honourably, performing those duties. And that robbery, for no other purpose than to put the fair remuneration of those men for the performance of those duties into the pockets of persons appointed, from other uneducated ranks, by favour.

This is not a slight or solitary breach of public faith committed by our rulers against the body of which I am a member, but one of a series which must ultimately reduce the profession to so low an ebb, as to render it fit only for sneaks to follow.

Your next statement puts a stranger view of the robbery forward. You say, "by abolishing the court fees, the useless office of court broker, and reducing the scale of fees to the messenger to one-half of the present amount, a saving of 8 to 10 per cent. would be effected." You assuredly would not propose what you did not believe to be honest. Those proposed abolitions are therefore honest. I aver that the diminution of the solicitor's charges is dishonest. Make your proposed abolitions; there would be saved by that means, as I estimate from your statement:—

No. 1 broker (at least) .....	£1,000
Messenger .....	1,119
Incidentals .....	266
	£2,385
The difference between the amount of solicitors' bills, as per your state- ment—No. 1.....	£6,906
" 2.....	4,683
	2,223
	£162

would restore us to our former position, and get rid of useless and dishonest expenses.

If my voice could reach all the solicitors in England, I would say, "Let us heartily thank Mr. Baker for his manly exposure of the wretched jobbery now going on in the Court of Bankruptcy, and insist upon being restored to our rights."

Believe me, dear Sir, yours faithfully,  
A. T. STEVENSON.

To the Editor of "THE NORTHERN DAILY EXPRESS."

SIR,—As, by reason of the dissolution of the late Parliament, the consideration of the Lord Chancellor's "Debtor and Creditor Bill," and of Lord John Russell's "Bill to Consolidate the Law of Bankruptcy and Insolvency," has been postponed

until the meeting of the new Parliament, I beg leave, through your columns, to invite the attention of the public to an important branch of the subject, on which some new light has been thrown by the returns recently made to the Home Office (pursuant to an order issued by Sir George Grey, in April, 1858), by the London and Provincial Courts of Bankruptcy, as to bankrupts' estates administered by them in the year 1858. No return can truly show the operation of the existing system as regards the funds collected and their appropriation, unless it is confined to estates worked from commencement to end (or virtually so) within a given period; and the returns above referred to contain little useful information, as the financial portion relates only to money actually received and paid between the 1st of January and the 31st of December, 1858, without reference to, or mention of, balances in hand at either of those dates; the result of which will, I understand and expect, be (as in my own return) that they will exhibit, in the aggregate, an apparent large excess of payments beyond receipts. These are, however, the only returns ever made or called for, showing, under proper heads, the classification and nature of the payments made by official assignees out of the sums collected by them; as, in all returns previously called for, the sums paid for mortgages, liens, rent, taxes, salaries, and wages paid in full, are included in one general head of disbursements, other than court fees, solicitors', official assignees', and messengers' charges. I presume, ere long, a summary of the returns lately made will be published and distributed.

At present I am in possession only of my own return as sole official assignee of this district, of which statement No. 1 (enclosed) is a summary, omitting the receipts beyond the amount expended and divided, and showing the rate per cent. of each item of payments.

An opinion has prevailed that the expense of administering bankrupts' estates in England, since the establishment of the present system introduced in London in 1832, and into the country districts in 1842, has greatly exceeded that which existed under the previous system, to which it is now proposed by both the bills before the Houses of Parliament to return, namely, by virtually abolishing the office of official assignee, and leaving the management of estates, and control of the funds, to trustees appointed by the creditors at the first sitting in each estate, under requirements as to the trustees giving security in each case, and to be controlled by inspectors, to be also appointed by the creditors; requirements which, I apprehend, will render the proposed measure quite impracticable. But I intend at present to confine my observations wholly to financial matters.

Statement No. 2 (enclosed) shows the result of forty-three estates administered in this district prior to October, 1842, taken indiscriminately from the assignees' accounts on the files of proceedings, and shows that the present system is at least as inexpensive as the former one, the court fees, official assignees' charges, being about equivalent to the diminished amount of the solicitors' charges under the new system.

By abolishing the court fees, the useless office of court broker, and reducing the scale of fees to the messenger to one-half of the present amount, a saving of 8 to 10 per cent. would be effected—reducing the expenses to the lowest amount, at which I believe it to be practicable to administer bankrupts' or any insolvent's estates under any system which can be devised.

In a pamphlet published last year by Mr. T. B. Kinnear, of the Scottish bar, and of the Inner Temple, entitled, "A Comparison of the Bankruptcy Systems of England and Scotland," he, at pages 7 & 8, states his belief that, under the Scotch system, the expenses of administering bankrupts' estates (exclusive of mortgages, interest, wages, rent, and other debts paid in full) do not exceed  $7\frac{1}{2}$  to  $10\frac{1}{2}$  per cent., according as a professional or private man is selected as trustee.

I have not access (and Mr. Kinnear admits he has not) to the returns or statements from which he deduces that result; but statement No. 3 (enclosed), of forty-three estates administered in the Scotch Court in 1844 and 1845, extracted from the only returns to which I have access, shows a very different result, and approximates very closely to that shown in statement No. 1, of the working of forty-three estates in this district last year, considering that traders and living men only can in England be made bankrupts, while in Scotland non-traders and dead men's estates are administered in bankruptcy.

Although having a personal interest in advocating the present English system, as far as concerns the administration by official assignees (giving security for a considerable amount, and compelled to deposit all funds, exceeding in the aggregate £1,000, in the Bank of England to the credit of the accountant

in bankruptcy), I am conscious that the preceding remarks are made as dispassionately as if I had no such personal interest in the matter.—I am, Sir, your obedient servant,

THOMAS BAKER, Official Assignee.

Newcastle-upon-Tyne, 26th May, 1859.

No. 1.

Amount received and paid (omitting balances in hand on 1st January and 31st December) on forty-three Estates, administered in the Newcastle-upon-Tyne Court of Bankruptcy in the year 1858.

Total receipts	£250,823
<b>PAYMENTS.</b>	
Mortgages, liens, rent, taxes, salaries, and wages paid in full	£9 3 10 per cent. £2,135
Bankrupts' allowance	3 11 8 " 2,001
Chief Registrar's fees	3 6 9 " 1,964
Solicitors' bills	12 7 5 " 6,906
Official assignee	5 4 10 " 2,925
Broker, auctioneer, and accountants	2 12 1 " 1,453
Messenger	4 0 2 " 2,238
Incidentals	0 8 " 356
	£40 16 8 " £22,788
Divided	59 3 7 " 33,035
	£100 0 0 " £55,823

No. 2.

Amount received and paid by Creditors' Assignees in forty-three Estates, administered in 1840 to 1843, in the four Northern Counties, taken indiscriminately from the files of proceedings.

Total receipts	£30,348
<b>PAYMENTS.</b>	
Mortgages, liens, rent, taxes, salaries, and wages paid in full	£15 1 4 per cent. £7,565
Bankrupts' allowance	0 3 6 " 86
Solicitors' bills	19 17 3 " 10,000
Broker and auctioneer	1 5 7 " 645
Messenger	1 11 3 " 788
Accountant and petty expenses	2 9 9 " 1,252
	£40 8 8 " £20,356
Lost by failure of bankers and assignees	1 4 10 " 626
	£41 13 6 " £20,982
Divided	58 6 6 " 29,366
	£100 0 0 " £50,348

No. 3.

Amount received and paid (omitting balances in hand) in forty-three Segregated Estates, administered in Scotland in the years 1844 and 1845, extracted from the reports of the Scottish Mercantile Institution.

Total receipts	£55,917
<b>PAYMENTS.</b>	
Mortgages, liens, rent, taxes, salaries, and wages paid in full	£22 2 6 per cent. £12,373
Bankrupts' allowance	0 19 0 " 531
Solicitors' charges	8 7 4 " 4,683
Trustee's charges	5 19 6 " 3,337
	£37 8 4 " £20,924
Divided	62 11 8 " 34,993
	£100 0 0 " £55,917

**HOW JUDGES TRAVEL IN NORTHERN WISCONSIN.**—A correspondent of the *Springfield Republican*, at Hudson, Wisconsin, writes as follows:—"The judge of the Eighth Judicial District of Wisconsin makes two visits annually to Superior and Bayfield. He sets out with two half-breeds, follows the St. Croix 120 miles in a canoe, crosses a portage ten miles on to the head waters of the Brule, which he voyages down to Lake Superior. If some of your Eastern judges could see this heavy burden of legal lore perched on the shoulders of a voyageur, clothed in buckskin breeches and red flannel shirt, with a huge pack on his back, wallowing through swamps, miles in extent, devoured by mosquitoes and flies, swimming rivers, and fighting Indians; if they could behold this scene, their ideas of judicial dignity, 'the majesty of the law,' &c. would be lowered a peg."

**CHURCH-RATES.**—A return has been issued of the rateable value of the property assessed to the poor-rates in those parishes in which, according to returns already issued, no church-rates were made. For England and Wales the whole rateable value of such property is £21,014,382. The largest return is that for the diocese of London, £4,157,516. The return for that of Manchester is £2,711,827; for Chester, £2,035,795; for Ripon, £1,611,563; for Winchester, £1,506,524; for Worcester, £1,453,900; for Lichfield, £1,328,889. In every other diocese their value is under £1,000,000.

\* Including £10 paid for stamp for petition in each estate.  
† Including fees paid to the commissioners for sittings, averaging about £10 in each estate.

## The Provincies.

**BISHOPWEARMOUTH.**—*Church-rates.*—Several of the inhabitants of this town have been served with notice to pay church-rates, on pain of being cited before the Ecclesiastical Court at York—a proceeding which has caused much excitement; and there is to be a meeting for combined resistance, many of the parties being of opinion that the rate is invalid.—*Gales-head Observer.*

**BRADFORD.**—*New County Court.*—A new County Court is about to be erected in this town. The building will include all the requisite rooms and offices, and afford every accommodation necessary for conducting the entire business of the Court.

**KNARESBOROUGH.**—*Memorial to the late S. Powell, Esq.*—A subscription has been set on foot towards effecting a memorial to the late lamented Mr. Powell, solicitor, of this town. Amongst the principal subscribers we notice the names of the Duke of Devonshire and B. T. Wood, Esq., M.P. The funds already raised are upwards of £70.

**MANCHESTER.**—*Limited Liability.*—The Bank of Manchester has transmitted the requisite notice to its customers of its intention to register under the Limited Liability Act. In taking this step the directors point out that they are giving the strongest assurance in their power of "the prosperous and independent state of the establishment, and of their determination only of doing business of a safe and legitimate nature." The working capital of the bank is £144,908, with £217,568 remaining to be called up.

**READING.**—*The Representation.*—Sir Francis Henry Goldsmid, Bart., Q.C., has issued an address to the electors of Reading, in anticipation of a vacancy in the representation of the borough by the promotion of Sir H. Keating to the bench. Sir H. Keating has since issued an address on his appointment to the Solicitor-Generalship.

**SHROPSHIRE.**—*The Shrewsbury Estates.*—The Earl of Shrewsbury and Talbot's solicitor, Richard Nicholson, Esq., has issued a circular to those tenants of the estates who have declined acknowledging the earl's title to the estates, informing them of the recent decision of the full Court of Common Pleas in his Lordship's favour, and cautioning them that if they, at the next demand of rent, refuse to acknowledge the earl as their landlord, steps will be taken to vindicate his Lordship's rights. In that respect the majority of the tenantry have, we believe, long ago acknowledged his Lordship as their landlord.—*Shrewsbury Conservative.*

**WITHAM.**—*Ascending of a Solicitor.*—The *Essex Herald* says:—"We regret to hear that serious difficulties have arisen with respect to the affairs of a gentleman who has long occupied a high position in the legal profession in Witham—Mr. J. H. Patteson—and many, who from his reputed wealth and general character, placed implicit confidence in him, are likely to be severe sufferers. The liabilities are stated at between £50,000 and £60,000, about one-half of which are secured; and the failure will be a heavy blow to many, several cases having been mentioned in which parties had deposited all their money in his hands at interest, in preference to employing it in other investments. The sheriff is in possession, and the property seized is advertised for sale. Mr. Patteson disappeared a fortnight since; and under these painful circumstances much sympathy is felt for his wife, who is connected with one of the leading families of the county, and his family of thirteen children. Mr. Patteson was last heard of in London, when the circumstances attending his movements did not appear to indicate that he contemplated leaving the country; but all attempts to trace him since have failed, and those connected with him are thus left in a state of painful suspense. A reward has been offered for information which will lead to his discovery."

**CHARITABLE INSTITUTIONS (IRELAND).**—A copy of the Fourteenth Annual Report of the Commissioners of Charitable Donations and Bequests in Ireland, lately presented to Parliament by the command of the Queen, was published on Monday. The "charge" for the year 1858 was, on the Government stock account, £211,650, and the balance standing to the credit of the Commission, on the 31st of December, was £210,503, about £1,147 stock having been sold or transferred. The cash account figures for £10,883, there having been a balance of £1,747 due to charities at the end of the year.

## Ireland.

## APPOINTMENTS AND PROMOTIONS.

It is understood that the Right Hon. Maziere Brady, who was Lord Chancellor from 1846 to 1852, and from 1853 to 1858, has again been selected as head of the law in Ireland.

The principal law offices of the Crown in Ireland have been filled up exactly as was anticipated. The Right Hon. J. Fitzgerald becoming Attorney-General, and Mr. Serjeant Deasy Solicitor-General. It is understood that the responsible post of law adviser to the Castle again devolves on Mr. J. A. Lawson. The serjeantcy vacant through the promotion of the new Solicitor-General has been conferred upon Mr. T. O'Hagan, Q.C., an eloquent advocate and able common-lawyer.

The two judgeships of the Bankruptcy and Insolvency Court became vacant together (as was stated last week) through the lamented death of Judge Macan, and the resignation of the Hon. P. Plunket. To obviate the great inconvenience to the suitors—several of whom, though prepared with bail, had to return to prison—Mr. De Moleyns, Q.C., has been nominated, *pro tem.*, to transact the business of the court, until the vacancies can be filled up. Mr. H. G. Hughes, Q.C., to whom one of these judgeships was at once offered, is understood to have declined.

One of the latest official acts of Lord Chancellor Napier was to call within the bar Mr. Samuel Ferguson and Mr. M. O'Shaughnessy. The rank of Q.C. was at the same time offered to Mr. D. McCausland, of the North-west circuit, and refused by that gentleman. Perhaps a compliment to literature was intended; for not only has Mr. Ferguson acquired no ordinary reputation as a cultivator of the poetic art, but Mr. McCausland is well known as the author (*inter alia*) of "Sermons in Stones," one of the most clever and successful of recent treatises on geology. At all events, another proof is furnished that the busy legal practitioner is not necessarily debarred from literary pursuits, or precluded from attaining literary distinction.

At the close of his last sitting in Chancery, Lord Chancellor Napier made some remarks appropriate to the occasion, and complimentary to the bar practising in the court. The compliment was, however, silently received, and called forth no response or valedictory address.

The benchers of the English Inns of Court appear, at length, likely to insist on an examination of both entrants and of candidates for a "call." The example will doubtless be followed here, sooner or later. At present there is no examination whatever, compulsory or otherwise; but attendance at a certain number of lectures is compulsory. The term of office of the late lecturers (Messrs. Shaw and Otway) having expired, the benchers, last week, proceeded to elect their successors, and the choice fell upon Mr. Hugh Law and Mr. D. R. Pigot—two gentlemen who are thoroughly qualified for the duties they have undertaken to perform.

## Scotland.

## COURT OF SESSION.—EDINBURGH.

## SECOND DIVISION.

*Colquhoun v. the Proprietors of the Emperor Steamer.*

The Emperor steamer, three or four years ago, made Sunday excursions from Glasgow, and passengers landed from it on piers built by Sir James Colquhoun, of Luss, at Gazeloch Head, Arrochar and Ross, as if Sunday had been Saturday, or any other day. Sir James Colquhoun having objected to allow people the use of his piers on Sunday, applied for an interdict, and after several years' litigation he has obtained it from the Court. Lord Cowan, delivering the opinion, acquiesced in by the Second, and resting it on the ground that landing on Sunday on a pier used hitherto by the public only on week-days, is an invasion of the state of possession, and capable of being prevented by interdict.

[The soundness of this decision is very much doubted.]

**RIFLE CORPS.**—The gentlemen of the Scottish bar having received the authority of Government for the organisation of a rifle company (which will become the first company of the Edinburgh rifle regiment) held a meeting on Saturday for the election of officers. It was intimated that the Dean of Faculty (Mr. Moncreiff, M.P.) had been nominated by the Lord Provost as lieutenant-colonel of the whole regiment, and the following officers were elected for the company.—Mr. Edward S.

Gordon, Sheriff of Perthshire, to be captain; Mr. Archibald T. Boyle to be lieutenant; and Mr. F. M. Heriot to be ensign. The company met for drill for the first time on Monday afternoon. The Society of Solicitors to the supreme courts of Scotland are engaged forming a company, as also are the Edinburgh Highland Society and other bodies.

Consequent on the change of Ministry, there will be a change of the Crown officers. Mr. Moncreiff, M.P. for Edinburgh, will be again Lord Advocate; Mr. E. F. Maitland again Solicitor-General; and the advocates depute also, so far as known, being those who held that office before the Tories came into power—namely, A. R. Clark, Donald Mackenzie, David Hector, and Maitland Heriot.

## Reviews.

*Private Bill Legislation. Can anything be done to improve it?* By ALEXANDER PULLING, Esq., of the Inner Temple, Barrister-at-Law. London: Longmans. 1859.

Mr. Alexander Pulling, who has given great attention to the subject of private Bill legislation, and has more than once brought the serious defects of the present system before the public, has published a pamphlet, in which he points out how it might be improved without affecting the constitutional powers of the Houses of Parliament to any great extent, thus removing the ground on which they have hitherto refused their sanction to any change that has been proposed. His suggestions have for their object the securing a more complete and less costly investigation into the facts, circumstances, and merits of petitions for private Acts, and the application thereto of certain recognised principles; and the consolidation of the provisions of a public nature usually contained in such Acts, so as to produce greater uniformity and harmony in the existing law, and to simplify and shorten future Acts.

His proposal is simply that the facts of each case should be ascertained before it is brought before Parliament. That a sufficient number of competent examiners be appointed to inquire, not only into compliance with the Standing Orders, but also into the facts of each case, and the evidence adduced by all parties. That the examiners have power to call owners, occupiers, the representatives of public boards, surveyors and engineers, and all other necessary parties and documents before them; and to conduct the whole or part of the inquiries in the locality affected by the scheme proposed; and on the completion of the inquiry, that the report in every case state the particulars of the scheme proposed, the objections made to it, the facts proved *pro* and *con.* and the precise way in which the Bill deviates from the general law. And that this special report of the examiner accompany the Bill in its various stages.

The practice before the examiners would of course have to be regulated by rules acquiesced in by both Houses, so as, 1st; to secure the hearing of all parties, whether concerned on public or private grounds; 2ndly, to provide for the holding of local inquiries when necessary; and 3rdly, to enable the examiners to proceed with the inquiries during any part of the year, so that the report might be completed in time to accompany the Bill presented to Parliament.

He proposes further rules to meet the case of any objection to the statement of any fact contained in the report, or to the admission or rejection of evidence.

The getting rid of the tedious and costly formalities which have now to be pursued in order to prove the mere facts relating to private Bills before a Parliamentary committee, and the substitution of the authentic statement of those facts in the special report of the examiner in the mode proposed, would not be the only advantage that would be gained by the public. Parliamentary committees would be thereby enabled to deal with every Bill on certain and fixed principles, and the mistakes of committees could be rectified by an appeal to the House itself.

*Handbook of the Practice of Election Committees; with an Appendix of Statutes, Forms, and Precedents.* By P. BURROWS. SHARKEY, Solicitor and Parliamentary Agent. London: Butterworths. 1859.

*Parliamentary Costs relative to Private Bills, Election Petitions, and Appeal Causes, together with Allowances to Witnesses.* By EDWARD WEBSTER, Esq., Clerk to the Taxing Officer of the House of Commons, and to the Examiners for Standing Orders. London: Stevens & Norton. 1859.

We can recommend the Handbook of Mr. Sharkey as a convenient, and we doubt not trustworthy, compendium of the



practice of election committees. At the present moment such a publication is needed for the information of all those engaged in the numerous inquiries which have arisen out of the late general election.

Mr. Webster's little book on Parliamentary Costs seems to be carefully done.

## Societies and Institutions.

### LAW AMENDMENT SOCIETY.

A meeting of this society was held on Monday evening, Lord BROUGHAM in the chair.

Mr. EDGAR read the report of the committee on Imprisonment by County Court Judges, printed at page 644. He then referred to the 8 & 9 Vict. c. 127, and 10 & 11 Vict. c. 102, by which a creditor obtaining a judgment in the superior courts for a debt under £20, may summon his debtor before the Insolvent Debtors Court, or the county court, and obtain his commitment in the same manner as in the case of a debtor against whom a judgment of the county court had been obtained. It was not quite correct, therefore, to say that a different law applied to debtors in the county court from that which applied to debtors in the superior courts for amounts under £20, although in the latter case there was no provision for committing more than once for the same debt, and although the provision he had mentioned was seldom acted on. With regard to the conclusions to which the committee had come, they had considered it desirable that imprisonment should not be allowed at all where the debt was under a certain sum; and they thought that 40s. might fairly be taken as the amount below which the expense and evils arising from imprisonment would, as a general rule, outweigh the advantages, real or supposed, it might possess. They thought also that in cases above 40s. only one imprisonment should be allowed, leaving the creditor his remedy by execution against the goods; and that this should equally apply to the case where the payment was to be by instalments. With respect to imprisonment for non-attendance on the judgment summons, it appeared to a majority of the committee to be unjust and inexpedient, especially considering the class of persons who were exposed to it. Some evidence ought to be laid before the judge by the creditor, that the case was a proper one for imprisonment. The large proportion which imprisonments for non-attendance bore to the whole—8,361 out of 11,501 for the year 1858—was a startling fact, and could not be justified on any sound principle.

Mr. WEBSTER moved that the report be printed and circulated among the members.

Mr. BLUNDELL seconded the motion.

Mr. WINGFIELD objected to having two kinds of law—one for the superior, and the other for the county courts. Even after the explanation which had been given by Mr. Edgar, it appeared that these extraordinary powers of imprisonment for debts under £20 could not be exercised by the judges of the superior courts. There ought to be a uniform system of imprisonment for debt in all courts, if imprisonment for debt were to be retained; but his own view was, that it should be abolished entirely, and that great advantages, social and economical, would arise from such abolition.

Mr. H. G. ALLEN did not think that any step in the way of law reform had been more beneficial than the introduction of county courts, and the judges were, in general, men well qualified to exercise the important duties entrusted to them. He considered, however, that the large amount of imprisonments that had taken place was calculated to arrest public attention, and called loudly for a remedy. He objected to imprisonment for simple non-attendance, which was bad in principle, and, as it appeared, disastrous in operation. He thought something might be said in favour of retaining the power of repeated imprisonment to meet the cases of refractory and contumacious debtors.

Mr. WRIGHT objected to the proposed inquiry by the judge before imprisonment for non-attendance. In the absence of the debtor it would be impossible to obtain the information which was considered necessary, and he did not think there was any alternative between commitment for simple non-attendance and its total abolition.

Mr. BLUNDELL said, that the great bulk of the debtors imprisoned for non-attendance did not understand the nature of the proceedings. What was proposed in the report was some inquiry on the part of the judge. He might examine the plaintiff, and, if this were carefully done, the number of commitments would be much reduced. He had no doubt the county court judges often felt the difficulty under which they

were placed by the present law. The evils of the system had been too long concealed from the public, but, fortunately, attention had now been awakened to this subject, and he confidently anticipated that a remedy would be applied.

The CHAIRMAN said, with reference to the learning and qualifications of county court judges, that he had greatly lamented the circumstances in which the first nominations were made, by appointing the previous local judges, for the purpose of saving a few hundreds a-year. Some of these, although not all, were unfit by age, or want of knowledge, or other disqualifications. His principle had always been to urge the Chancellor to appoint the best person who could be induced to take the office. This, he was bound to say, had been generally done, and there were now many men of great learning and eminence in the profession among the county court judges.

Mr. COLLIER, M.P., thought that the complaints with regard to the present system of imprisonment had been made with justice. He was of opinion that there should be no power of imprisonment without hearing evidence, and that some inquiry should be made by the judge to justify so strong an operation of the law. He also thought there should not be more than one imprisonment for the same debt. The county court judges were not subject to the same control as the judges of the superior courts; and it was necessary, therefore, that the Legislature should watch the working of the system, and apply remedies where they appeared necessary. Although not at present inclined to agree with the recommendation of the committee to abolish imprisonment in cases of debts under 40s., he thought that, on the other two points recommended, a Bill should be at once prepared and introduced into Parliament.

Mr. E. WEBSTER said that, in his estimation, the question mainly turned on this—whether imprisonment should be allowed for small debts at all? If there were no imprisonment, the only execution would be on the goods of the debtor, and those who had no goods on which execution could be levied would not obtain credit. This, he thought, would be beneficial. It would tend to produce greater prudence and economy on the part of the working classes. He thought that to abolish imprisonment entirely in such cases would be the best means of solving the question.

The motion was then put and carried.

The society then adjourned till Saturday (this day), at three o'clock.

The annual meeting of the society, for the reception of a report from the Council, and the election of the officers, will be held this day, at three o'clock.

The annual dinner will take place on Saturday, the 2nd of July.

## Court Papers.

### Court for Divorce and Matrimonial Causes.

The judges constituting the full Court will be the Hon. Sir WILLIAM WIGHTMAN, Knt., Senior Puisne Judge of the Court of Queen's Bench; the Hon. Sir EDWARD VAUGHAN WILLIAMS, Knt., Senior Puisne Judge of the Court of Common Pleas; and the Right Hon. Sir CRESSWELL CRESSWELL, Knt., Judge of her Majesty's Court of Probate.

The Right Hon. the Judge Ordinary has directed, that, in all cases to be heard before the full Court for Divorce and Matrimonial Causes the parties proceeding shall themselves forward to the Judges constituting the full Court copies of the pleadings.

### Summer Circuits of the Judges, 1859.

Oxford.			
WILLES, J., and BYLES, J.			
Abingdon .....	Monday .....	July 11.	
Oxford .....	Wednesday .....	July 12.	
Worcester and city .....	Saturday .....	July 14.	
Stafford .....	Wednesday .....	July 20.	
Shrewsbury .....	Thursday .....	July 21.	
Hereford .....	Monday .....	August 1.	
Monmouth .....	Thursday .....	August 4.	
Gloucester and city .....	Tuesday .....	August 3.	

For the other Circuits, see p. 631, ante.

CRIME IN IRELAND.—A return of the number of persons convicted of crime at the assizes and quarter sessions in each county in Ireland, during the years 1857 and 1858 respectively, showing, in each instance, the nature of the offence charged, and the sentence, has been published, on the motion of Mr. John Fitz-Gerald, M.P. No general result having been prepared by the compilers of this return, it is comparatively uninteresting; nor would it be fair, allowing for the difference of population, to institute any comparison by quoting county against county.

## Births, Marriages, and Deaths.

## BIRTHS.

**BARNARD**—On June 21, at No. 3, Canonbury-lane, Islington, the wife of William Tyndall Barnard, Esq., Barrister-at-law, of a son.  
**COLE**—On June 20, at 18 Upper Finchley-road, the wife of William Henry Cole, Esq., of a daughter.  
**EMFIELD**—On June 16, at Nottingham, Mrs. Richard Emfield, of a daughter.  
**JONES**—On June 21, at 16 Brunswick-square, W.C., the wife of W. S. Jones, Jun., Esq., Barrister-at-law, of a daughter.  
**MARSHALL**—On June 14, at 7 Newbie-terrace, Belmont-road, the wife of Mr. Henry Marshall, Solicitor, of a son.  
**OTTER**—On June 17, the wife of Charles Otter, Esq., of 13 Leinster-gardens, Hyde-park, of a son.  
**ROBSON**—On June 20, at 23 Priory-road, Kilburn, the wife of Christopher Robson, of 13 Clifford's-lane, London, Solicitor, of a son.  
**SMITH**—On June 15, at Charendon-villas, Notting-hill, the wife of Sidney Smith, Jun., Esq., of a son.  
**VICKERMAN**—On June 19, at Thoby Priory, Mountnaseing, Essex, the wife of Charles Ranken Vickerman, Esq., of Gray's-lane, of a daughter.

## MARRIAGES.

**DICKINS—CAUSTON**—On June 7, at Stretton-upon-Fosse, by the father of the bride, William Park Dickins, Esq., of Lincoln's-inn, London, Fellow of Merton College, Oxford, and eldest son of William Dickins, Esq., of Cherington, to Catharine Frances, eldest daughter of the Rev. Charles Causton, rector of Stretton.  
**HANDY—RANDELL**—On June 14, at the Abbey church, Malmesbury, by the Rev. Charles Pitt, assisted by the Rev. Lewis A. M. Way, John A. Handy, Esq., of Malmesbury, to Jane, only child of William Handell, Esq., of the same place.  
**LYLLEY—DU VERNET**—On June 22, at St. James's church, Piccadilly, by the Rev. Percy Lonsdale, Warine B. M. Lyley, Esq., Barrister-at-law, of the Inner Temple, younger son of William John Lydley, Esq., M.P., of Minwood, Here, to Lavinia Sophia Maria, elder daughter of Colonel James Smith Du Vernet, late of H. M. Indian Army, of 87, Queen's-gardens, Hyde-park.  
**SEWELL—HANKEY**—On June 21, at St. James's, Paddington, by the Rev. T. Phillips, Henry, son of Isaac Sewell, Esq., of Wanstead, Essex, and Old Broad-street, to Sarah, youngest daughter of the late William Aiers Hankey, Esq., of Hyde-park-gardens and Fenchurch-street.  
**STUART—POWER**—On June 13, at St. George's, Hanover-square, by the Rev. Arthur Maidland Studden, M.A., Frederick Stuart, son of Charles Edwards, Esq., of New York, to Frances Jane Douglas, only daughter of Edward Power, Esq., 6 Eccleston-terrace, Belgrave.  
**TURNER—COCKERHAM**—On June 21, at the parish church, Halifax, by the Rev. F. H. Sidebottom, incumbent of Holy Trinity church, Mr. Benjamin Turney, Solicitor, to Sarah Jane, eldest daughter of Mr. Edward Cockerham, all of Halifax.

## DEATHS.

**ANSTRUTHER**—On June 19, at 43 Moray-place, Edinburgh, Marian, wife of James Anstruther, Esq., W.S., and daughter of the late Right Hon. Sir John Anstruther, Chief Justice of Bengal.  
**DALSTON**—On June 21, at 161 Piccadilly, Ann, widow of the late William Dalston, Solicitor, in her 79th year.  
**EWBANK**—On June 21, at 8 Titchfield-terrace, Regent's-park, Henry Ewbank, Esq., in the 73rd year of his age.  
**WILES**—On June 19, at Craig House, co. Sligo, Mary, wife of Michael Jones, Esq., of Liagoolle Abbey, co. Fermanagh, D.L. and J.P. for that county.  
**KITSON**—On June 12, aged 79, George Kitson, Esq., a magistrate of the co. of Somerset, also a magistrate, for many years an alderman, and once mayor of the city of Bath.  
**KNOWLES**—On June 17, at his residence, Northfield House, Sellywick, near Birmingham, George Beauchamp Knowles, Esq., Solicitor, of that town, aged 89.  
**MACAN**—On June 15, Judge Macan, one of the Judges of the Dublin Court of Chancery.  
**MIDDLETON**—On June 15, at Glendow Grange, Chapel-Alberton, aged 40, Mary, wife of Mr. William Middleton, Solicitor.  
**OWEN**—On June 20, at Weymouth, of rapid decline, Arthur Asley Owen, the eldest son of Herbert Owen, Esq., of the Inner Temple, Barrister-at-law, aged 18.  
**MUNKETT**—On June 20, suddenly, at his residence, Wilton Lodge, Hemmersmith, Mr. James Munkett, in his 67th year.  
**SOLOMON**—On June 18, at 31 Borough-road, in her 72nd year, Rachel, widow of the late Mr. Edward Solomon.  
**THOMAS**—On June 22, at Pease, Henry Thomas, of 35 Lincoln's-inn-fields, Solicitor, aged 65.

## Unclaimed Stock in the Bank of England.

The Amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimant appear within Three Months:—

**BUTTS, SARAH, Widow, HENRY ROBERT BUTTS, Carpenter, and CHARLES HENNETT, Clerk, Newington, Middlesex, £148 : 7 : 4 New 3 per Cent.**—Claimed by HENRY ROBERT BUTTS, Carpenter, Stoke Newington, the person named in the said order.  
**COLLINS, CAROLINE GLUEK, Spinster, Chisleigh, £57 : 16 : 1 Consols.**—Claimed by CAROLINE GLUEK COLLINS.  
**FOSTER, ANN, Widow, Cheshunt, £119 : 8 : 0 Consols.**—Claimed by ANN FOSTER.  
**ONE ANNE FAYTON, Widow, Reddington-park, Surrey, Three Dividends on £554 : 5 per Cent.**—Claimed by the Right Hon. CHARLES, Lord TREDEGAR, sole executor of Sir Charles Morgan.  
**HILTON, JAMES, Merchant, Ironmonger-lane, JOAN HILTON, a minor, and NICHOLAS HILTON, Merchant, Ironmonger-lane, £81 : 16 : 4 Consols.**—Claimed by JAMES HILTON, administrator of James Hilton, deceased, who was the survivor.  
**MRS. WILLIAM, Jeweller, Lower Stone-st., Chelsea, One Dividend on £519 : 8 per Cent.**—Claimed by WILLIAM GUMBY, Jun., one of the executors.

## Heirs at Law and Next of Kin.

Advertised for in the London Gazette.

**WESTON, ROBERT HARCOURT, MURSBOROUGH ALLEN, & WILLIAM ALLEN,** consins of Robert Harcourt Weston, who were living all in London in 1790. Their relatives to apply by letter only to B. Hope, Esq., Solicitor, 9 Ely-place.

**WEST, GIMON,** formerly of Wilton-park, Hants. His next of kin to apply to the executor, Mr. Randall, Solicitor, Wilton, near Salisbury.

**GIBSON, JAMES, Weaver, Over Darwen, Lancaster** (who died on or about Nov. 23, 1856). His next of kin to apply to the Registrar, Office, 10 Camden-place, Preston.

The party who, within the past 12 months, inserted a notice requesting to hear from the heirs of a party of the name of HANCOCK, will communicate with Messrs. Crowder, Maynard, & Co., of 37 Coleman street, London, he will probably obtain the desired information.

## English Funds.

ENGLISH FUNDS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Bank Stock .....	319	319 90	..	320 10	320 21	..
3 per Cent. Red. Ann. ..	93 1/2	93 3/4	93 3/4	93 1/2	93 1/2	..
3 per Cent. Cons. Ann. ..	93 1/2	93 1/2	93 1/2	93 1/2	93 1/2	..
New 3 per Cent. Ann. ..	93 1/2	93 1/2	93 1/2	93 1/2	93 1/2	..
New 2 1/2 per Cent. Ann. ..	..	..	..	..	..	..
5 per Cent. Ann. ....	..	..	..	..	..	..
Long Ann. (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Jan. 5, 1860) .....	..	..	..	..	..	..
Do. 30 years (exp. Apr. 5, 1860) .....	..	17 1/2	..	..	..	..
India Stock .....	95	94 1/2	94 1/2	94 1/2	94 1/2	94 1/2
India Loan Debentures ..	93 1/2	94 1/2	94 1/2	94 1/2	94 1/2	94 1/2
India Loan Scrip. ....	93 1/2	94 1/2	94 1/2	94 1/2	94 1/2	94 1/2
India Bonds (£1,000) ..	28 d	..	..	..	..	..
Do. (under £1000) .....	92 1/2	92 1/2	92 1/2	92 1/2	92 1/2	92 1/2
Consols for account .....	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d
Exch. Bills (£1000) Mar. ..	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d
Do. June .....	..	..	..	..	..	..
Exch. Bills (£500) Mar. ..	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d
Do. June .....	..	..	..	..	..	..
Exch. Bills (Small) Mar. ..	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d	23s 3d
Do. June .....	..	..	..	..	..	..
Do. (Advertised) Mar. ..	..	..	..	..	..	..
Do. June .....	..	..	..	..	..	..
Exch. Bonds .....	..	..	..	..	..	..
Exch. Bonds, 1856, 3/4 ..	..	..	..	..	..	..
per Cent. ....	..	..	..	..	..	..
Ditto (under £1,000) ..	..	..	..	..	..	..

## Railway Stock.

RAILWAYS.	Sat.	Mon.	Tues.	Wed.	Thur.	Fri.
Birk. Lan. & Ch. June ..	..	..	..	70	71	70 1/2
Bristol and Exeter .....	..	..	94 1/2	..	94 1/2	94 1/2
Caledonian .....	70 1/2	70 1/2	70 1/2	70 1/2	70 1/2	70 1/2
Chester and Holyhead ..	..	..	..	..	..	..
East Anglian .....	13 1/2	..	..	..	..	..
Eastern Counties .....	56 1/2	56 1/2	56	56 1/2	..	56 1/2
Eastern Union A. Stock ..	..	..	..	..	30 1/2	..
Ditto B. Stock .....	..	..	..	..	..	..
East Lancashire .....	..	88 1/2	..	..	..	..
Edinburgh and Glasgow ..	..	25 1/2	..	..	..	..
Glasgow & South-Westn. ..	..	..	..	..	..	..
Great Northern .....	90 1/2	90 1/2	90 1/2	90 1/2	90 1/2	90 1/2
Ditto A. Stock .....	..	..	..	..	..	..
Ditto B. Stock .....	..	..	..	..	..	..
Gt. South & West. (Ire.) ..	105	..	..	..	..	102 1/2
Great Western .....	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2
Do. Stour & Ty. G. Stk. ..	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2
Lancashire & Yorkshire ..	111 1/2	111 1/2	111 1/2	111 1/2	111 1/2	111 1/2
Lon. Brighton & S. Coast ..	90 1/2	90 1/2	90 1/2	90 1/2	90 1/2	90 1/2
London & North-Westn. ..	91	90 1/2	90 1/2	90 1/2	90 1/2	90 1/2
London & South-Westn. ..	35 1/2	35 1/2	35 1/2	35 1/2	35 1/2	35 1/2
Man. Sheff. & Lincoln. ..	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2	99 1/2
Midland .....	..	..	..	..	..	..
Ditto Birm. & Derby .....	56 7/8	56 7/8	56 7/8	56 7/8	56 7/8	56 7/8
Norfolk .....	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2
North British .....	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2	54 1/2
North-Eastern (Breck.) ..	48 1/2	48 1/2	48 1/2	48 1/2	48 1/2	48 1/2
Ditto Leeds .....	72 1/2	71 1/2	71 1/2	71 1/2	71 1/2	71 1/2
Ditto York .....	..	..	..	..	..	..
North London .....	..	30 1/2	30 1/2	30 1/2	30 1/2	30 1/2
Oxford, Worc. & Wolver. ..	..	..	..	..	..	..
Scottish Central .....	..	..	..	..	..	..
Scot. N.E. Aberdeen Stk. ..	..	..	..	..	..	..
Do. Scotch Mid. Stk. ....	..	..	..	..	..	..
Shropshire Union .....	..	..	..	..	..	..
South Devon .....	67 1/2	67 1/2	67 1/2	67 1/2	67 1/2	67 1/2
South-Eastern .....	..	..	..	..	..	..
South Wales .....	..	..	..	..	..	..
Vale of North .....	65 1/2	..	..	..	..	..

## Estate Exchange Report.

AT THE MARY.—By Mr. MARSH.

Freehold Dwelling-house, No. 10, Cheyne-walk, Laurence-street, Chelsea, producing £16 18 : 0 per annum.—Sold for £210.  
 Leasehold Semi-detached Residence, No. 7, "The Terrace," Kennington-park; let at £70 per annum; term, 78 years from March, 1843; ground-rent, £12 per annum.—Sold for £260.  
 The Absolute Reversion to Two Seventh Parts of £3,675 New Three per Cents., receivable on the decease of a lady now aged 68 years.—Sold for £250.  
 Freehold Houses and Shops, Nos. 55 & 56, St. Paul's Church-yard; let on lease at £480 per annum.—Sold for £3,000.  
 Freehold, South Denchworth Farm, Denchworth, Berks, comprising farm-house, agricultural buildings, and 70a. 3r. 34p. of arable and pasture land; let on lease at £138 : 10 : 0 per annum.—Sold for £4,250.  
 Freehold, Three Houses, with Shops, St. Mary's Cray, Kent, near the church and the "Black Boy" public-house; let at £46 per annum.—Sold for £510.

By Mr. THOMAS ANWEL.

Leasehold House, No. 74, Harrison-street, Gray's-inn-road; estimated annual value, £26 per annum; held for 70 years from Christmas last; ground-rent, £7 per annum.—Sold for £295.

By Mr. FREDERICK GODWIN.

Leasehold House and Shop, No. 12, Brewer-street, Blenheim-street, King's-road, Chelsea; held for 60 years from 1847; ground-rent, £3 per annum; annual value, £38.—Sold for £200.

By Messrs. NORTON, HOGARTH, &amp; TRIST.

Freehold, the Baciotti Estate, St. David's, in the Island of Grenada, West Indies, a sugar plantation, with manager's house, &c., 1,214a. 3r. 25p.—Sold for £2,550.

Freehold Property, High Bridge-street, Waltham Abbey, Essex, comprising a malting shop and residence, and two cottages; let at £56 per annum.—Sold for £1,300.

Freehold Dwelling House, Sun-street, Waltham Abbey; let at £30 per annum.—Sold for £250.

Freehold Public-house, "The Greyhound," Sun-street, Waltham Abbey, and a shop and dwelling-house adjoining; let at £48 per annum.—Sold for £280.

Freehold House and Shop, Market-place, Waltham-abbey.—Sold for £250.

Four Copyhold Cottages, Silver-street, Waltham Abbey.—Sold for £140.

Freehold Enclosure of Meadow Land, Pick-hill, Waltham Holy Cross, containing 8a. 3r. 37p.; let at £28 : 10 : 0 per annum.—Sold for £300.

Leasehold House and Shop, No. 12, Brecknock-crescent, Camden-town; let on lease for 21 years from September, 1853, at £30 per annum; held for 90 years from March, 1844, at a ground-rent of £2 per annum.—Sold for £1,100.

Leasehold House, No. 14, Brecknock-crescent; held for same term; ground-rent, £2 per annum; estimated annual value, £70.—Sold for £265.

Leasehold Villa Residence, No. 10, Camden-road-villas, Camden-town; held for 96 years from September, 1837; ground-rent, £6 per annum; let at £80 per annum.—Sold for £570.

Leasehold Dwelling House, No. 33, Upper Seymour-street, Somers'-town; let at £28 per annum; held for 65 years from September, 1825; ground-rent, £8 : 10 : 0 per annum.—Sold for £175.

Leasehold Houses, Nos. 5 & 6, Stafford-place, Fimlico; held for 31 years from Lady-day, 1859; ground-rent, £17 : 10 : 0 per annum; let at £80 per annum.—Sold for £520.

Leasehold Houses, Nos. 6 & 7, Gloucester-place, Camden-town; term, 30 years from September, 1859, ground-rent, 10 guineas per annum; let at £70 per annum.—Sold for £435 (in two lots).

Freehold Plot of Building Ground, Sydenham-road, Croydon, Surrey, with buildings thereon.—Sold for £210.

Freehold Estate, "Bacon's Farm," Hungerford, Berks, comprising farm-house, two cottages, with gardens, and 191a. 0r. 13p. of arable meadow and wood lands; let at £310 per annum.—Sold for £2,950.

Freehold Property known as "Horseshoe-wharf," comprising two dwelling-houses, Nos. 10 & 11, Upper Thames-street, wharf premises, &c.—Sold for £11,050.

By Mr. McDONALD.

Leasehold House and Premises, No. 26, Harcourt-street, Marylebone-road; estimated value, £90 per annum; term, 64½ years from June 24, 1822; ground-rent, £7 : 7 : 0 per annum.—Sold for £245.

Leasehold Residences, Nos. 3 & 4, Albert-street, Lavender-hill, Wandsworth; let at £26 : 8 : 0 per annum; term, 71 years from June 24 inst.; ground-rent, £14 per annum.—Sold for £160.

By Messrs. RUSHWORTH &amp; JARVIS.

Leasehold Residence, No. 4, Allason-terrace, Campden-hill, Kensington; let at £55 per annum; term, 90 years from Lady-day, 1846; ground-rent, £9 per annum.—Sold for £255.

Leasehold House and Shop, No. 6, Allason-terrace; same terms, value, &c.—Sold for £240.

The Contingent Reversion to £500, receivable provided a gentleman aged 30 survives a lady now in her 72nd year; also, a Policy for £500 in the Albert Life Office.—Sold for £220.

Freehold Plot of Arable Land, 2a. 1r. 21p., Havering Level, Hornchurch, Essex.—Sold for £140.

Freehold, Two Pieces of Land, 4a. 0r. 10p., adjoining the above.—Sold for £200.

Freehold Slip of Arable Land, 1r. 33p., near the preceding.—Sold for £40.

Freehold Arable Land, the "Four Acres," 3a. 3r. 39p.—Sold for £200.

Freehold Arable Land, "Narrow Strip," 3r. 39p.—Sold for £55.

Freehold Arable Land, "Island Wall Piece," 2a. 0r. 27p.—Sold for £110.

By Messrs. EVERFIELD &amp; HORNE.

Freehold Residence, known as "Fairlawn-villa," Thistle-grove, West Brompton; let on lease, which expires at Midsummer, at £50 per annum.—Sold for £1,030.

By Mr. T. S. SMITH.

Leasehold House, distinguished as "Alpha Cottage," High-road, Denmark-hill, Camberwell; estimated value, £60 per annum; held for 30½ years from September, 1849; ground-rent, £16 per annum.—Sold for £350.

By Mr. ARMITAGE.

Leasehold Houses, Nos. 1 & 2, Rosetta-place, Coburg-road, Old Kent-road;

let at £62 per annum; held for 99 years from Midsummer, 1859; ground-rent, 9 guineas per annum.—Sold for £385.

Freehold House, No. 13, Church-street, Deptford, Kent; annual value, £16.—Sold for £205.

Freehold Plot of Building Ground, Church-street.—Sold for £90.

Freehold House and Shop, Stockwell-street, Greenwich; let on lease, which will expire at Michaelmas, 1861, at £55 per annum.—Sold for £200.

Freehold House and Shop, adjoining; let for same term at £50 per annum.—Sold for £250.

Freehold House and Shop, London-street, Greenwich; let on lease, which expires at Michaelmas, 1861, at £36 per annum.—Sold for £250.

Freehold House and Shop, adjoining; let on lease for 31 years from Michaelmas, 1840, at £40 per annum.—Sold for £720.

Four Freehold Houses, Nos. 1, 4, 5, & 6, Rymer's-buildings, Car's-court, London-street, Greenwich; let at £37 : 14 : 0 per annum.—Sold for £110.

By Mr. WILLIAM THOMSON.

Freehold Building Land, Reigate, Surrey, containing 2a. 0r. 0p.—Sold for £1,500.

Freehold, 2a. 3r. 8p. of Pasture Land, adjoining, with cottage thereon.—Sold for £1,500.

Plot of Freehold Building Land, High-road, Reigate, containing 2a. 1r. 17p.—Sold for £1,600.

By Mr. MURKELL.

Freehold House and Shop, No. 11, Blenheim-street, Oxford-street; let on lease for 21 years from Christmas, 1858, at £63 per annum.—Sold for £1,050.

Freehold House and Premises, No. 42, Cow-cross, Smithfield, and a small house, No. 13, Faulkner's-alley, in the rear; let on lease for 21 years from March, 1856, at £42 per annum.—Sold for £740.

Leasehold Estate, comprising two shops, dwelling-house, &c., No. 1, Old-street, St. Luke's; held for 8½ years from Midsummer, 1859; ground-rent, £25 per annum; let on lease, which expires at Midsummer, 1863, at £110 per annum.—Sold for £265.

At GARRAWAY'S.—By Messrs. CHADWICK.

Freehold Family Residence, "Silvernere," Walton-upon-Thames, Surrey, with lodge, stabling, &c., in all 185 acres; let at £200 per annum.—Sold for £9,040.

By Mr. DANIEL CROMIE.

Leasehold, the Prince of Wales Public-house, East-road, City-road; also, Nos. 21 & 20, East-road; let at £139 per annum; held for 40 years from Midsummer, 1859; ground-rent, £3.—Sold for £2,910.

By Messrs. FIELD &amp; FAIRFIELD.

Lease and Goodwill of the "Noah's Ark" Public-house, Evelyn-street, Deptford; held for 37 years from Lady-day last, at £29 : 10 : 0 per annum.—Sold for £2,500.

Lease and Goodwill of the Railway Tavern, Commercial-road, together with house and shop, No. 8, Wellington-place adjoining; the house and shop is let at £24 per annum; the whole held for 46 years from Michaelmas last, at £70 per annum.—Sold for £2,600.

By Mr. ROBERT REID.

Freehold Residence, No. 2, Grove-place, Lisson-grove; let at £45 per annum.—Sold for £590.

Freehold House, No. 19, Grove-street; let at £33 per annum.—Sold for £405.

Freehold House, No. 20, Grove-street; let at £35 per annum.—Sold for £410.

Freehold Residence, No. 12, Trelleck-terrace, Vauxhall-bridge-road; let at £44 per annum.—Sold for £635.

Freehold Residence, No. 3, Montpelier-row, Knightsbridge; let at £26 per annum.—Sold for £305.

Freehold Residence, No. 1, Hollywood-grove, West Brompton; let at £60 per annum.—Sold for £750.

Freehold Residence, Nos. 2 & 3, Hollywood-grove; let at £38 each per annum.—Sold for £280 each.

Freehold House and Shop, No. 1, Giggell's-terrace, King's-road West, Chelsea; let at £35 per annum.—Sold for £410.

Freehold House and Shop, No. 2, Giggell's-terrace; let at £35 per annum.—Sold for £410.

Freehold House and Shop, No. 3, Giggell's-terrace; let at £40 per annum.—Sold for £410.

Freehold, the Wesleyan Reform Chapel and Dwelling-house, No. 4, Giggell's-terrace; let at £28 per annum.—Sold for £410.

Leasehold Business Premises, No. 2, Edwards-street, Portman-square; let on lease at £100 per annum; term, 42½ years from Lady-day, 1859; ground-rent, £60.—Sold for £220.

Leasehold Dwelling-house, No. 17, Charles-street, Manchester-square; let at £60 per annum; term, 27½ years from Lady-day, 1859; ground-rent, £5 : 0 : 0.—Sold for £420.

Leasehold Residence, No. 10, Paulton's-square, King's-road, Chelsea; let at £40 per annum; term, 83½ years from 1859; ground-rent, £6 per annum.—Sold for £220.

Leasehold Residence, No. 32, Paulton's-square; let at £0 : 13 : 6 per week; same term and ground-rent as preceding.—Sold for £200.

## London Gazettes.

## Commissioners to administer Oaths in Chancery.

TUESDAY, June 21, 1859.

PAITSON, WILLIAM, Gent., Whitehaven.  
 FRANCE, WILLIAM STEPHEN, Gent., Wigan.

FRIDAY, June 24, 1859.

CHATHAM, WILLIAM, Gent., Kingston upon Hull.  
 BOND, CHARLES WILLIAM, Gent., Axminster, Devon.

## Professional Partnership Dissolved.

FRIDAY, June 24, 1859.

CAPARN, RICHARD, & E. G. ATLYE, Attorneys, Holbeach, Lincolnshire  
 by mutual consent. June 30.



## SOLICITORS.

TUESDAY, June 21, 1859.

CARTER, SAMUEL, Coal Merchant, Fen Stanton (and not Tien Stanton, as before advertised), Huntingdonshire. Com. Evans: June 28, at 11; and July 21, at 1.30; Basinghall-st. Off. As. Johnson. Sols. Lawrence, Piers, & Boyer, Old Jewry-chambers. Feb. June 16.

COTTERELL, CHARLES FREEMAN, Linendrapery, 9 Chichester-st., Paddington. Com. Evans: June 28, at 1; and July 28, at 1.30; Basinghall-st. Off. As. Bell. Sols. Hicks, 24 Coleman-st.-lodge. Feb. June 23.

DAVIES, ROBERT, Victualler, Moulders, Denbighshire. Com. Perry: July 6 & 27, at 12; Liverpool. Off. As. Turner. Sols. Ryton, Flint. Feb. June 20.

SHUTT, WILLIAM DENNIS, Ironmonger, 116 High-st., Shoreditch. Com. Fombianque: July 6, at 12.30; and Aug. 3, at 1; Basinghall-st. Off. As. Graham. Sols. Linklaters & Hackwood, 7 Walbrook. Feb. June 20.

SILLAR, DAVID, & JOHN CHARLES SILLAR, Merchants, Liverpool, and of Shanghai, China (Sillar Brothers). Com. Perry: July 6 & 27, at 11; Liverpool. Off. As. Cazenove. Sols. Lowndes, Ratson, Lowndes, & Robinson, Liverpool. Feb. June 20.

STANNARD, ARMOND, Livery Stable-keeper, 95 Little Colindale-pk., Chelsea. Com. Fombianque: July 1, at 2; and July 29, at 11; Basinghall-st. Off. As. Graham. Sols. Harrison & Lewis, 6 Old Jewry. Feb. June 10.

TRUMP, WILLIAM, Wine & Spirit Merchant, Wellington, Somersetshire. Com. Andrews: July 4 & 25, at 12; Exeter. Off. As. Hirtzel. Sols. Shacen & Grant, Kennington-cross; or Stogdon, Exeter. Feb. June 15.

FRIDAY, June 24, 1859.

ALLISON, JOSEPH, Provision Merchant, Stockton-upon-Tees. Com. Ellis: July 4 and Aug. 10, at 12; Newcastle-upon-Tyne. Off. As. Baker. Sols. Harle & Co. 20 Southampton-bldgs., and Newcastle-upon-Tyne. Feb. June 22.

ARKE, JOHN, Victualler, King's Lynn. Com. Goulburn: July 8 and Aug. 4, at 12; Basinghall-st. Off. As. Nicholson. Sols. Wilkin, 8 Furnival-lane. Feb. June 23.

DAVIES, ROBERT, Victualler, Myndyd Farm, Denbighshire. Com. Perry: July 6 & 27, at 12; Liverpool. Off. As. Turner. Sols. Eytton, Flint. Feb. June 20.

ELDMAN, JAMES, Clothier, Slough. Com. Fombianque: July 6, at 1.30; and Aug. 3, at 1; Basinghall-st. Off. As. Graham. Sols. Parker & Lee, 18 St. Paul's-church-yard. Feb. June 22.

HOLDSWORTH, JAMES, Timber Merchant, Hordley-Fields, Wolverhampton. Com. Sanders: July 8 & 29, at 11; Birmingham. Off. As. Whitmore. Sols. Walcutt, Stourport; or Hodgson & Allen, Birmingham. Feb. June 23.

PARRY, BERNARD, Farmer, Newmarket. Com. Perry: July 6 & 27, at 12; Liverpool. Off. As. Morgan. Sols. Edwards, Chester. Feb. June 22.

PETERS, EDWARD, Wine & Spirit Merchant, Bliston, Staffordshire. Com. Sanders: July 7 & 28, at 11; Birmingham. Off. As. Kinnear. Sols. Dimmock & Burbery, 2 Suffolk-lane, Cannon-st.; or Ladlow, Birmingham. Feb. June 7.

PIKE, HENRY JOHN, Coal Dealer, Exmouth. Com. Andrews: July 4 & 25, at 12; Exeter. Off. As. Hirtzel. Sols. Adams, Exmouth; or Stogdon, Exeter. Feb. June 21.

MEDLEY, GEORGE, Glass & China Dealer, New Street, Lincolnshire. Com. Sanders: July 12 and Aug. 2, at 1.30; Nottingham. Off. As. Harris. Sols. Maples, Nottingham. Feb. June 14.

TEACHER, SAMUEL, Licensed Victualler, 125 Fenchurch-st., lately trading in copartnership with Thomas Dent, at 125 Fenchurch-st., deceased (Teacher & Dent). Com. Evans: July 7, at 2; and Aug. 4, at 1.30; Basinghall-st. Off. As. Johnson. Sols. Perry, Guildhall-chambers. Feb. for Arrang. May 17.

WOOD, GEORGE, Builder, Rayleigh, Essex. Com. Holroyd: July 18, at 1; and Aug. 16, at 12; Basinghall-st. Off. As. Lee. Sols. Woodard, 106 Fenchurch-st. Feb. June 22.

## MEETINGS FOR PROOF OF DEBTS.

TUESDAY, June 21, 1859.

CAPIWATER, RICHARD, Omnibus Builder, Newcastle-pl., Paddington. July 12, at 12.30; Basinghall-st.

COTTE, EDWARD, Heath Rug Manufacturer, 3 West-pl., St. Luke's. July 12, at 11.30; Basinghall-st.

HILLIS, ROBERT McHAFFIE, Merchant, Manchester. July 6 & 13, at 12; Manchester.

REWAT, JAMES DERRISAY, Merchant, North Bank, St. John's-wood, and of Prince Edward's Island, N. America. July 12, at 11; Basinghall-st.

RYON, JAMES, Hoiler, Birmingham. July 21, at 11; Birmingham.

WESS, ROBERT GEORGE, Draper, Liverpool. July 12, at 12; Liverpool.

FRIDAY, June 24, 1859.

BENBRIDGE, MATTHEW, Builder, King's Lynn. July 13, at 1; Basinghall-st.

BROWN, JOHN, Grocer, 60 Crawford-st., Bryanston-sq., 4 John-st. West, Edgware-rd., and 16 Oxford-market. July 15, at 11; Basinghall-st.

CHITTENDEN, JOHN FRANKS, Surgeon, 1 St. John's-park-villas, Upper Holloway, July 15, at 11.30; Basinghall-st.

COLLINS, JOHN, Plumber, Beccles, Suffolk. July 19, at 11; Basinghall-st.

COLLING, CHARLES, & WILLIAM FREDERICK COLLINGS, Drapers, 21, 29, & 23 Lower Sloane-st., Chelsea (Charles & William Frederick Collings). July 15, at 1; Basinghall-st.

COWTHER, WILLIAM, Coach Maker, Charles-st., Middlesex Hospital (surviving partner of one Mark Piner). July 15, at 1.30; Basinghall-st.

ELMOTT, JOHN, Blacksmith, Farnham, Surrey. July 15, at 11; Basinghall-st.

ROD, ANDREW, Tea Dealer, 2 & 5 Pleasant-row, Pentonville. July 13, at 11.30; Basinghall-st.

HOWGATE, HENRY, & GEORGE HOWGATE, Steel Converters, Sheffield (Howgate Brothers). July 15, at 10; Sheffield.

STEE, CHARLES, Leather-Cutler, 40 Hockley, Nottingham. July 19, at 11; Nottingham.

JEKINGS, WILLIAM, Builder, Rochester. July 15, at 1; Basinghall-st.

JONES, WILLIAM, Coal Merchant, Isleworth. July 15, at 11.30; Basinghall-st.

JONES, WILLIAM, BUCKLEY, & HENRY DERRICK DERRICK, Shipbuilders, Liverpool (W. R. Jones & Co.) July 15, at 11; Liverpool.

LACT, JOHN GEORGE, Gun Manufacturer, 21 Great St. Helen's, Bishopsgate-st. July 15, at 1; Basinghall-st.

MARSHALL, THOMAS JOHN, Engineer, 404 Bishopsgate-st. Without. July 15, at 11; Basinghall-st.

MUNDY, JOHN ANDREWS, Coal Merchant, Fulbourn, Sussex. July 15, at 12; Basinghall-st.

SHAW, JOHN, & JOSEPH SHAW, Tailors, Sheffield. July 16, at 10, Sheffield; separate estate of Joseph Shaw.

SOTHERS, LAWRENCE, & WILLIAM FLORITT, Grocers, Graymmd. July 15, at 12; Basinghall-st.

STUART, WILLIAM CHARLES, Tailor, Cambridge. July 15, at 12.30; Basinghall-st.

## CERTIFICATES.

To be ALLOWED, unless Notice be given, and Cause shown on Day of Meeting.

TUESDAY, June 21, 1859.

HICKS, RICHARD, Coal Merchant, Camden-town, Kensington, and Pimlico (R. Hicks & Co.), also carrying on business at Acton; Kingston-upon-Thames (South-Western Coal Co.); 64 Charing-cross; and at Hungerford Wharf (Hicks, Son, & Co.) July 14, at 12.30; Basinghall-st.

HOLDSWORTH, LIONEL, Commission Merchant, late of Liverpool and Quebec, now of Oxford, Cheshire. July 11, at 11; Liverpool.

JONES, JAMES DAVY, Eating-house Keeper, 60 Fleet-st. July 12, at 1; Basinghall-st.

LITTLE, GEORGE, Miller, Lollham, Northamptonshire. July 12, at 12.30; Basinghall-st.

PAINTER, WILLIAM, son, Shipowner, Welton, Yorkshire. Aug. 3, at 12; Kingston-upon-Hull.

TOCK, GEORGE, Shipowner, South Shields. July 13, at 12.30; Newcastle-upon-Tyne.

FRIDAY, June 24, 1859.

DUTYERS, GUSTAVE, General Merchant, 2 Old Trinity-house, Tower-st. July 18, at 1; Basinghall-st.

JENNENS, AARON, & JOHN BRETTRIDGE, Paper Maché Manufacturers, Birmingham. July 19, at 11; Birmingham.

To be DELIVERED, unless APPEAL be duly entered.

TUESDAY, June 21, 1859.

ATKINSON, JOHN, son, Flax Spinner, Bishop [Thornton, Yorkshire. June 3, 3rd class, at the expiration of 21 days.

CHADWICK, WILLIAM, Dyer, Leeds. May 27, 2nd class, at the expiration of 21 days.

CHILTON, JOHN, Tailor, Sheffield. June 4, 2nd class, at the expiration of 21 days.

EDWARDS, GEORGE HARMON, Tobacconist, Lincoln. June 15, 2nd class, at the expiration of 21 days.

FRAMPTON, JOHN, Butcher, Poole. June 14, 3rd class.

SKELLES, JAMES HUBBARD, Boot & Shoe Dealer, Liverpool. May 16, 2nd class, subject to a suspension of 6 months.

RAWL, JOHN HENRY, Tailor, 139 Leadenhall-st. June 16, 2nd class.

SCHOFIELD, JOHN, March, Morley, Yorkshire. May 30, 3rd class, at the expiration of 21 days.

SLOAN, JOHN, Lead Merchant, Kidderminster. June 20, 2nd class.

TITTERTON, WILLIAM, Wine & Spirit Dealer, Liverpool. May 12, 2nd class, subject to a suspension of 6 months.

WALKER, THOMAS, Boot & Shoe Maker, York. May 27, 2nd class, at the expiration of 21 days.

FRIDAY, June 24, 1859.

ROSELL, JAMES, Junr, Stationer, 80 Aldersgate-st. June 17, 2nd class.

TOCKES, EDMUND, Linendrapery, Portland, Dorset. June 20, 3rd class, subject to a suspension of four calendar months.

WOODCOCK, REGINALD, Ironmonger, 96 St. Mary-st. Weymouth. June 18, 1st class, at the expiration of 21 days.

## Assignments for Benefit of Creditors.

TUESDAY, June 21, 1859.

BOFFET, JOHN, Miller, Wittenhall, Chester. June 7. Trustee, E. Boffet, Farmer, Darnhall. Creditors to execute before Sept. 3. Sol. Cooke, Over.

BULLOCK, CHARLES, son, & CHARLES BULLOCK, junr., Millers, Wilton-upon-Wye, Hereford. June 9. Trustee, T. Bennett, Coalowner, Mithelmead, Gloucestershire; T. Domes, Draper, Ross, Herefordshire. Sol. Osborne, Hereford.

BULLOCK, CHARLES, son, Malster, Wilton-upon-Wye, Bridgton, Herefordshire. June 11. Trustee, T. Bennett, Coalowner, Mithelmead, Gloucestershire; T. Domes, Draper, Ross, Herefordshire. Sol. Osborne, Hereford.

DAVIS, EDEN, Cabinet Maker, 28 Charles-st., Middlesex Hospital. May 30. Trustee, B. Ingram, Timber Merchant, Beech-street, Barbican. Sols. Wright & Bonner, 15 London-st.

JONES, THOMAS, Grocer, Barry Port, Carmarthen. May 23. Trustee, E. Morgan, Currier, Thomas-st., Llanelly. Sol. Parry, Carmarthen.

LAKER, JAMES, Licensed Victualler, Wheatland-village, Bramshott, Hants. May 23. Trustee, T. Taunton, Common Brewer, Guildford; J. Wakeford, Butcher, Bramshott. Sols. Albery, Midhurst.

SIMON, THOMAS, Blacksmith, Goxhill, Lincolnshire. May 30. Trustee, F. G. Smith, Ironmonger, Gainsborough; W. R. King, Ironmonger, Kingston-upon-Hull. Sols. Rolitt, Kingston-upon-Hull; Heslop & Oldman, Gainsborough.

WILKINSON, HENRY DAWSON, Electro-Plater, Glavenum-village, Enfield-rd., and Union-lane, Sheffield. May 24. Trustee, H. Collier, Merchant's Clerk, Sheffield. Creditors to execute before Aug. 24. Sols. Chambers, Sheffield; Gould & Son, Sheffield.

FRIDAY, June 24, 1859.

BUCKHAM, WILLIAM, Salmaker, Newcastle-upon-Tyne (under the style of John Buckham). June 18. Trustee, G. Wilson, Linen Manufacturer, Hudson Road, Yorkshires; J. Lumsy, Chemist, Newcastle-upon-Tyne. Creditors to execute on or before Sept. 18. Sol. Johnston, Newcastle-upon-Tyne.

THOMPSON, GEORGE, Innkeeper, Killingholme, Lincolnshire. June 15. *Trustee*. W. GOSMAN, Brewer, Gt. Grimsby. Creditors to execute on or before Sept. 15. *Sol.* Grange, Gt. Grimsby.

JACKSON, GEORGE, & WILLIAM HENRY HOBBS, Builders, Fimlico. May 30. *Trustee*. P. Lee, Gent., Windsor-ter., Vauxhall-br.-rd. *Sols.* Philpot, Greenhill, & Lynch, 63 Gracechurch-st.

HOWARTH, HENRY, Draper, Skipton, Yorkshire. June 6. *Trustee*. L. Roberts, and F. Taylor, Merchants, Manchester. *Sol.* Hampton, Manchester.

MARSHALL, THOMAS, Grocer, Distington, Cumberland. June 2. *Trustee*. W. Stalker, Miller, Distington; A. Kennedy, Grocer, Whitehaven. *Sol.* Mungrove, Whitehaven.

TEMPLE, WILLIAM, Gent., 28 Clement's-lane, London. June 13. *Trustee*. W. Turquand, Public Accountant, Tokenhouse-yard. Creditors to execute before Dec. 13. *Sols.* Lawrence, Mews, & Boyer, 14 Old Jewry-chambers.

### Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, June 21, 1859.

DOBSON, FREDERICK, Gent., Mere Hill, Little Bolton, Lancashire (who died in or about February, 1859). Dobson v. Dobson, M.R. July 18.

GIBSON, JAMES, Weaver, Oyer Darwen, Lancashire (who died on or about Nov. 23, 1856). Riding and others v. Gibson, Registrar's office, 10 Camden-pl., Preston. July 9.

POOLE, JOHN, Edwards-pl., Hackney-rd. (who died in or about Dec., 1829). M.R. July 14.

TAYLOR, RICHARD, Gent., Scruton, Yorkshire (who died in May, 1854). Story v. Cundell & Taylor, M.R. July 16.

FRIDAY, June 24, 1859.

BARNES, MARY, Widow, Hendon, Middlesex (who died on or about July 12, 1856). Hamilton v. Elford and others, V.C. Wood. July 11.

CLARKE, JOHN FREDERICK SALES, Esq., Colonel in the Army, Newlands, Gloucester (who died in or about the month of February, 1856). Clarke v. Tanner, V.C. Kindsersley. July 21.

CLEMENT, WILLIAM, Esq., formerly of Eastland-house, Dulwich, then of Cavendish-villa, Ramsgate, and late of Rosherville (who died on or about Feb. 6, 1859). Clement v. Clement, V.C. Stuart. July 26.

DAVIES, BENJAMIN, Upper Sydenham, Kent (who died in or about the month of Dec., 1853). Wallace v. Davies & another, V.C. Wood. July 12.

JACOBS, ABRAHAM RICHARD, Umbrella Maker, 145 Regent-st. (who died in or about the month of June, 1847). Nathan & others v. Davis, V.C. Wood. July 2.

MYNORS, ROBERT, Colwallton, Stafford (who died in 1809). Meddings v. Bowyer, M.R. July 18.

PLIMLEY, WILLIAM, Gent., Maidstone (who died on or about April 20, 1858). Plimley & another v. Plimley, V.C. Stuart. July 23.

### Windings-up of Joint Stock Companies.

TUESDAY, June 21, 1859.

UNLIMITED, IN CHANCERY.

BRITISH AND FOREIGN RELIANCE MARINE ASSURANCE COMPANY.—V.C. Wood has appointed Frederick Whitney, 8 Serle-st., to be the Interim Manager.

CHESTER MUSIC HALL COMPANY.—Petition for the dissolution of, June 15. HOME COURTESY AND METROPOLITAN FREEHOLD LAND SOCIETY.—Further proceedings until June 29, V.C. Wood.

WHEAT HELEN MINING COMPANY.—The Master of the Rolls will, on June 22, at 12, make a call for fifteen shillings per Share.

LIMITED, IN BANKRUPTCY.

LONDON & BIRMINGHAM FLINT GLASS & ALKALI COMPANY.—Proof of debts, July 7, at 11; Birmingham. *Off. Ass.* Whitmore. *Sols.* Bece, Wilkins, & Blyth, 10 St. Swithin's-lane; or Reece, Birmingham.

MENFIELD PATENT GUNPOWDER COMPANY.—Audit accounts, July 12, at 12; Basinghall-st. Dividend, July 13, at 12; Basinghall-st. *Com.* Foulsham.

LIMITED IN BANKRUPTCY.

FRIDAY, June 24, 1859.

GENERAL SMELTING AND REFINING COMPANY (LIMITED).—Com. Evans, on July 14, at 1, Basinghall-st., to settle the list of Contributories and proof of debts. William Bell, Official Liquidator, 3 Coleman-st.-bldgs.

GREAT WESTERN IRON COMPANY (LIMITED).—Petition for winding up, July 7, at 11; Corn Hill.

### Scottish Sequestrations.

TUESDAY, June 21, 1859.

BALLANTYNE, DAVID, Spirit Dealer, Hamilton. June 28, at 2; King's-arms-inn (Dick's), Hamilton. *See* June 16.

DEWE, JOHN, Fleisher, Glasgow. June 28, at 12; Globe-hotel, 29 George-st., Glasgow. *See* June 16.

GALLOWAY, JAMES, Cartier, Abington. June 24, at 12; Faculty-hall, West George-pl., Glasgow. *See* June 15.

HENDRY, JAMES, Grocer, Airdrie. June 27, at 2; Forbes'-hotel, Airdrie. *See* June 16.

MORDET, JOHN GOODCHILD, Farmer, formerly at Sedgefield, now residing at Dunse. June 28, at 2; Black Bull-inn, Dunse. *See* June 17.

FRIDAY, June 14, 1859.

BELL, ALEXANDER, Dealer in Cloth, Hamilton, Lanark. July 2, at 2; Hamilton Arms Inn, Hamilton. *See* June 20.

DOWNS, THOMAS, Spirit Dealer, Kelvinhaugh-st., Glasgow (T. & D. Dornin). June 20, at 12; Faculty Hall, Glasgow. *See* June 20.

HASTINGS, JAMES, Warehouseman, Glasgow (James Hastings & Co.) June 23, at 12; Globe Hotel, Glasgow. *See* June 17.

TAYLOR, JOHN, Builder, 4 St. James's-st., Edinburgh. June 29, at 2; Messrs. Dowalls & Lyon's Rooms, Edinburgh. *See* June 21.

VALUABLE LEASEHOLD BAKER'S SHOP, NEW-STREET, DORSET-SQUARE, and Three Leasehold Dwelling-houses, Buccleugh-terrace, Camberwell.

### MESSRS. NORTON, HOGGART, & TRIST

have received instructions to offer for SALE, at the MART, on WEDNESDAY, JULY 20, in Two Lots, a valuable LEASEHOLD BAKER'S SHOP, Dwelling-house, and Premises, situate No. 33, New-street, Dorset-square, in the occupation of Mr. Rickards, at a moderate rent of £80 per annum, held for an unexpired term of about 50 years, at a ground-rent of £10 10s. per annum. Three Leasehold Residences, situate at Nos. 1, 2, & 3, Buccleugh-terrace, Cold Harbour-lane, Camberwell, in the occupation of respectable tenants. Held on lease for an unexpired term of about 61 years, at a ground-rent of £12 15s. per annum.

May be viewed by permission of the tenants, and particulars had of Messrs. MLEOD, STANNING, & WATNEY, 16, London-street, Fenchurch-street; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange.

CLARGES-STREET, PICCADILLY, and DORSET-PLACE, FILL-MALL EAST.—Two valuable Freehold Residences, and two excellent Shops and Premises, producing together £215 per annum.

### MESSRS. NORTON, HOGGART, & TRIST have

received instructions to offer for SALE, at the MART, on WEDNESDAY, JUNE 29, at TWELVE, in four lots, the following valuable FREEHOLD PROPERTY, viz. 1.—Two substantial Residences, elegantly situate Nos. 24 and 25, Clarges-street, Piccadilly, let to Mr. Charles and Mr. Lewis, on lease, at low net rentals, amounting together to £105 per annum; and two excellent Shops and Dwelling-houses, situate Nos. 9 and 10, Dorset-place, at the corner of Little St. Martin's-street, Pall-mall east, let to Mr. Wright and Mr. Hutchins, at low net rentals, amounting together to £110 per annum, and offering secure freehold investments.

May be viewed by permission of the respective tenants, and particulars had of W. B. PATERSON, Esq., Solicitor, 4, New Bridge-street, Blackfriars; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange.

SUSSEX.—Valuable piece of WOOD LAND, containing about 40 acres.

### MESSRS. NORTON, HOGGART, and TRIST

have received instructions to offer for SALE, at the MART, on Friday, July 8, at 12, a valuable PIECE of LEASEHOLD WOOD LAND, known as Bishop's Wood, situate at Warringind, in the parish of Slaughtman, in the county of Sussex, and about four miles from the Horsham Station, on the London and Brighton Railway. It contains 39 acres, 3 rods, 36 perches, with cottage thereon, and is surrounded by the estates of W. E. Hubbard, Esq., and E. Stanford, Esq. The property is held under lease for three lives, at a rental of 4s. per annum.

May be viewed and particulars had at the King's Head Hotel, Horsham; of Messrs. FIELDER, JOHNSON, & MASTER, Solicitors, 21, Duke-street, Grosvenor-square; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange.

KENSINGTON-SQUARE.—Valuable and Substantial Freehold Family Residence, with Offices, Coach-houses, Stabling, Lawn, and Pleasure-grounds, together about an acre, with immediate possession.

### MESSRS. NORTON, HOGGART, & TRIST have

received instructions to offer for SALE, at the MART, on WEDNESDAY, JUNE 29, at TWELVE, a valuable and substantial FREEHOLD RESIDENCE, pleasantly situate, No. 24, Kensington-square, a short distance from Kensington-gardens and the park, and near the Grammar-school. It is fit for the immediate reception of a family, and contains, on the upper floor, two attics; third floor, five bed-rooms, and closet on landing; second floor, two bed-rooms, two dressing-rooms, cloak-room, and water-closet; first floor, two elegant drawing-rooms, about 23ft. 6in. by 20ft. 6in., and 20ft. 6in. by 15ft., leading to a balcony and conservatory, and a small ante-room; ground floor, entrance-hall and passage, capitol dining-room, 24ft. 6in. by 17ft., breakfast-room, bath-room, dressing-room, water-closet, and side entrance to garden; excellent domestic offices and cellars on basement, two double coach-houses, two 3-stall stables, harness-room with loft, and eight rooms over, carriage-yard, &c.; rustic summer-house, green-house, and extensive lawn and flower-gardens; the whole containing nearly an acre.

May be viewed, and particulars had at the King's Arms, Kensington; of W. B. PATERSON, Esq., Solicitor, 4, New Bridge-street, Blackfriars; at the Mart; and of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange.

NEWGATE-STREET.—Very valuable Leasehold Property, occupying an important frontage of about 52 feet.

### MESSRS. NORTON, HOGGART, & TRIST

have received instructions to offer for SALE, at the MART, on WEDNESDAY, JULY 20, at TWELVE, in One Lot, the valuable and substantial PREMISES, situate No. 38, NEWGATE STREET, one of the leading thoroughfares in the City of London, occupying a frontage of about 52 feet, and extending in depth about 46 feet. They are handsome and imposing elevation, recently erected, at a very considerable outlay, with plate glass windows throughout, and possessing every requirement for carrying on a large wholesale trade. They contain on the upper floors large ware-room, manufactory, store-room, and numerous suites of offices, &c., having a separate private entrance; on the ground floor, spacious and lofty show ware-room, with gallery over, and counting-house; and a large ware-room, smithy, and range of cellars on the basement. In the occupation of highly respectable tenants, at rentals and of the value of nearly £750 per annum, held on lease for an unexpired term of seventy-seven years, at a ground-rent of £175 per annum.

May be viewed by permission of the tenants, and particulars had of Messrs. MARTIN, THOMAS, & HOLLAND, Solicitors, Commercial-street, London; and of Messrs. NORTON, HOGGART, & TRIST, 62, Old Broad-street, Royal Exchange.

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